

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14800 of 2008

=====

Fanni Prasad Yadav, son of Late Nebi Yadav resident of village and Post
Office Sattar Police Station Bihra District Saharsa

.... Petitioner/s

Versus

1. The State of Bihar
2. The District Magistrate, Saharsa
3. The Deputy Collector Establishment District Saharsa

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Roy
Mr. Ashish Dev

For the Respondent/s : AC to GA 3

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 18-09-2015 Heard Sri Jitendra Kumar Roy, learned counsel for the
petitioner and Sri Vinay Kumar Pandey, learned AC to GA No. 3.

The petitioner, invoking writ jurisdiction of this court under Article 226 of the Constitution of India, has prayed for directing the Respondents to consider the petitioner's case for regular appointment on Class IV post in view of the Government Resolution contained in Memo No. 639 dated 16.3.2006. By the said Resolution the cut off date was extended from 1.8.1985 to 11.12.1990. It is not in dispute that while extending the cut off date it was made clear that case of those employees who have worked for five years prior to the cut off date and continuously for 240 days may be considered for regularization.

Learned counsel for the petitioner in view of the

statement made in the writ petition accepts that he has not completed five years prior to the cut off date. It is also not in dispute that petitioner has already been retrenched long back.

In view of the facts and circumstances particularly the fact that petitioner's case is not covered under the Resolution of 2006, the court is of the opinion that no positive order can be passed in favour of the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J)

Praful/-

U			
---	--	--	--