

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 376 of 2011

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Akhilesh Tiwari S/o Late Rajendra Tiwary, R/o Village – Brhampur, P.S. –
Phulwari Sharif, District – Patna (Bihar).

.... Petitioner

Versus

1. The State of Bihar
2. The Chief Secretary, Bihar, Patna.
3. The Principal Secretary, Road Construction Department, Bihar, Patna.
4. The Engineer in Chief, Road Construction Department, Bihar, Patna.
5. The Chief Engineer, Road Construction Department, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjeet Tiwary

For the Respondent/s : AC to Addl. Advocate General - 5

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 29-09-2015 Heard learned counsel for the petitioner and learned
A.C. to Addl. Advocate General – 5

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for directing the respondents to regularize him on the post of Driver. It has been claimed that the petitioner worked as daily-wager from the year 1986.

Learned counsel for the petitioner has placed reliance on **Annexure – 1** to the writ petition i.e. a communication made by the Additional Secretary to the Government, Finance Department, Bihar, whereby the period of cut off date from 01-08-1985 to 11-12-1990 was decided to be extended.

Learned counsel for the petitioner submits that the

petitioner thereafter filed representation before the Principal Secretary, Road Construction Department for taking decision in the matter of appointment of the petitioner.

Fact remains that the petitioner was a daily-wager and he has already been disengaged with effect from the month of May, 2001 and as such, the claim for regularization may not sustain. Moreover, the Court is of the opinion that there is no mode for appointment by way of regularization.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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