

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4163 of 2001

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Ram Binod Singh, son of Sri Bindeshwari Singh, Resident of village-
Maharaj Nagar, Police Station- Maner, and District- Patna at present
posted at C.C.A. Depot, Biscomaun, Aurangabad as Night Guard.

.... Petitioner

Versus

1. Bihar State Co-operative Marketing Union Ltd. through its
'Administrator' Biscomaun Bhawan, Patna.
2. Administrator, Bihar State Co-operative Marketing Union Ltd.
Biscomaun Bhawan, Patna.
3. Managing Director, Bihar State Co-operative Marketing Union
Ltd. Biscomaun Bhawan, Patna.
4. Special Officer (Establishment) Bihar State Co-operative
Marketing Union Ltd. Biscomaun Bhawan, Patna.
5. Range Officer, Biscomaun, Gaya.
6. C.C.A. Depot (Biscomaun), Arwal

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Abu Haider, Adv.

For Biscomaun : Mr. Ishwari Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL JUDGMENT

Date: 24-07-2015

Heard learned counsel for the Biscomaun.

There is no representation on behalf of the petitioner.

2. This is an application seeking direction to
regularize the services of the petitioner as Night Guard in
Bihar State Co-operative Marketing Union Ltd.
(Biscomaun), Patna and to grant him promotion to the
next higher post.

3. It is the case of the petitioner that he was
engaged on Daily Wage basis in the Year 1981 and by an
order dated 28.01.1984 services of certain persons,



engaged on Daily Wage Basis as Night Guard, including this petitioner, were regularized. The said order dated 28.01.1984, said to have been issued by the Biscomaun, has not been brought on record. However, statement has been made that the same shall be produced at the time of hearing, if so required. No such letter/document has been produced in course of hearing. It is the grievance of the petitioner that despite the said order dated 28.01.1984, regularizing his services, the petitioner is being treated as Daily Wage basis.

4. A counter affidavit has been filed on behalf of the Biscomaun wherein the statement that the petitioner's service was regularized has specifically been denied and it has been stated that the petitioner was not found fit for regularization in service.

5. In the facts and circumstances and the pleadings on record, relief as sought for in the present writ petition cannot be granted.

6. The petition is accordingly dismissed.

7. There shall, however, be no order as to costs.

(Chakradhari Sharan Singh, J.)

Vats/-

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