

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.154 of 2012**

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1. Ram Pravesh Singh Son of Late Chamari Singh Resident of Village - Bishnupur,  
P.S. Wazirganj, Dist- Gaya

.... .... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary Government of Bihar, Patna  
2. The Principal Secretary, Personnel and Administrative Reforms Department, Old Secretariat, Bihar, Patna  
3. The Principal Secretary, Samanaya Prashashan Department, Old Secretariat, Bihar, Patna  
4. The Agriculture Production Commissioner, Department of Agriculture, New Secretariat, Bihar, Patna  
5. The Joint Secretary, Department of Agriculture, New Secretariat, Bihar, Patna  
6. The Administrator, Bihar State Agriculture Marketing Board (Dissolved) Pant Bhawan, Baily Road, Patna  
7. The Secretary, Bihar State Agriculture Marketing Board (Abolished) Pant Bhawan, Baily Road, Patna  
8. The Sub-Divisional Officer, Siwan Sadar-Cum-Special Officer, Agriculture Produce Market Committee (Dissolved), Siwan, District - Siwan

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Jai Prakash Verma, Adv.

For the Respondent/s : Mr. G.K. Agrawal, GA10

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**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**

**ORAL JUDGMENT**

**Date: 08-08-2016**

Heard Mr. Jai Prakash Verma, learned counsel for the petitioner  
and Mr. Harish Kumar, learned G.P.8 for the State.

The petitioner prays for quashing of the order dated 26.2.2007  
of the Sub Divisional Officer, Siwan Sadar cum Special Officer,  
Agriculture Produce Market Committee (since dissolved) whereby his  
services has been terminated in compliance of the general directions  
issued by the Secretary, Bihar State Agriculture Marketing Board  
(since dissolved), Patna as contained in letter No.295 dated  
12.2.2007. The petitioner seeks reinstatement and absorption.

It is not in dispute that the petitioner was a daily wager. The  
matter regarding absorption of daily wage employees of the since

dissolved Bihar Agriculture Produce Marketing Board and the Market Committee constituted thereunder is no more res integra and stands resolved in a judgment of this Court since reported in **2010 (1) PLJR 763 (Nand Kumar Vs. State of Bihar)** wherein this Court in reference to Section-6 of the Bihar Agriculture Produce Market (Repeal) Act, 2006 has held that the benefit of regularisation was only extended to the persons who were under regular employment and not the daily wagers. The opinion of the Division Bench stands confirmed by the Supreme Court in the judgment reported in **(2014) 5 SCC 300 (Nand Kumar Vs. State of Bihar)**.

This matter was earlier heard on 3.1.2012 and was directed to be put up after disposal of L.P.A.No.1911 and 1889 of 2010. The judgment and order passed by the Division Bench in the Letters Patent Appeal referred to above has been placed on record and the Division Bench taking note of the legal position settled in the judgment of **Nand Kumar** (supra) has dismissed the appeals.

In the circumstances discussed hereinabove, no cause for indulgence is made out on the relief so prayed by the petitioner and this writ petition is accordingly disposed of.

Bibhash/-

(Jyoti Saran, J)

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