

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10846 of 2013

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1. Sunil Kumar S/O Late Baleshwar Mahto R/O Mohalla- Kiul Basti,
Pachna Road, District- Lakhisarai

.... Petitioner/s

Versus

1. The State Of Bihar Through the Chief Secretary, Bihar, Patna
2. The District Magistrate-Cum-Collector, Lakhisarai
3. The Additional District Magistrate, Lakhisarai
4. The District Development Commissioner, Lakhisarai
5. The Block Development Officer, Lakhisarai
6. The District Nazarat Officer, Lakhisarai

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 03-10-2016 Heard learned counsel for the petitioner and the

learned counsel for the State.

In the present case, the petitioner is claiming that though he has been working as Jeep Driver under the B.D.O., Ramgarh Chowk on daily wages since 25.09.2008, but has been deprived of his regularization in service whereas other persons have been regularized on the vacant posts on the basis of the order passed by this Court passed in different writ application.

Learned counsel for the petitioner submits that he approached this Court in C.W.J.C. No. 9227 of 2010 and the Court has passed the following order:-

“As per the case of the petitioner, he is working

as Jeep Driver under the B.D.O., Ramgarh Chowk on daily wages since 25.09.2008. Petitioner prays that his case may be considered for regularization/regular appointment.

It goes without saying that, if the sanctioned post is vacant and the respondents need permanent Driver in their offices, the same should be filled up on regular basis. While considering the candidates for appointment of Driver, obviously the case of the petitioner should be considered.

The writ application is disposed of with the aforesaid observations.”

But the persons, who approached this Court, later on, they have been provided the benefit and the case of the petitioner has been ignored. He further submits that the post of the drivers is lying vacant in the district of Lakhisarai.

Let the Collector, Lakhisarai consider the case of the petitioner, if the post of the drivers is / are still lying vacant, the case of the petitioner should be considered in light of the order dated 31.03.2011 passed in C.W.J.C. No. 9227 of 2010 and pass the order in accordance with law.

The petitioner is directed to file a fresh

representation, bringing all the facts to the notice of the Collector, Lakhisarai, who will consider the case of the petitioner and take decision by passing an order within a period of three months from the date of filing of such representation.

With the aforesaid observations and directions, this application is disposed of.

(Shivaji Pandey, J)

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