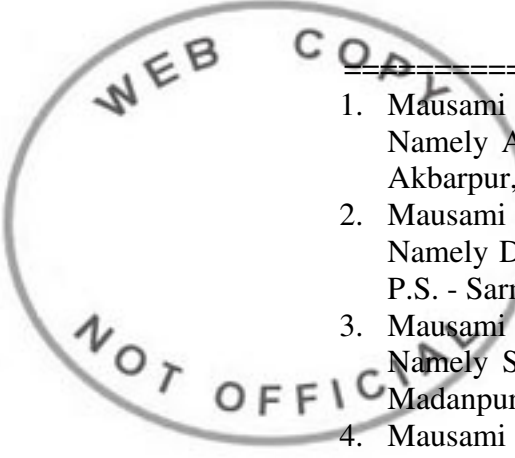


IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12846 of 2013

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1. Mausami D.D.T. Chhirkao Karamchari Sangh, Nalanda through its Secretary, Namely Avinash Kumar, son of Shri Mahendra Prasad Resident Of Village - Akbarpur, P.S. - Hilsa, District – Nalanda.
 2. Mausami D.D.T. Chhirkao Karamchari Sangh, Nalanda through its Member, Namely Deepak Kumar Son Of Sri Raj Kumar Resident Of Village - Sarmara, P.S. - Sarmara, District – Nalanda.
 3. Mausami D.D.T. Chhirkao Karamchari Sangh Nalanda through its Member, Namely Sanjay Kumar, son of Late Brijnandan Pandit, Resident of Village - Madanpur, P.S. - Ekangarsarai, District – Nalanda.
 4. Mausami D.D.T. Chhirkao Karamchari Sangh, Nalanda through its Member, Namely Madan Kumar Verma, son of Sri Sarjug Mahto Resident of Village - Barhawana Bishunpur, P.S. Ekangarsarai, District – Nalanda.
 5. Anil Kumar, Son of Late Madho Mahto, resident of village - Sundi Bigaha, P.S. - Ekangarsarai, District - Nalanda
 6. Krishna Ballav Prasad, son of Shri Baleshwar Prasad Resident of Village - Shivdar Bigaha, P.S. - Ekangarsarai, District – Nalanda.
 7. Ayodhya Singh, Son Of Shri Yugeshwar Das Resident Of Village - Bijokhari, P.S. - Telhada, District - Nalanda
 8. Amresh Kumar Son Of Late Mahadeo Mahto Resident Of Village - Naraich, P.S. - Telhada, District - Nalanda
 9. Rohit Kumar Verma Son Of Girja Kishore Prasad Verma Resident Of Village - Dhanhar, P.S. - Ekangarsarai, District - Nalanda
 10. Sanjeev Kumar Son Of Shri Baijnath Prasad Resident Of Village - Akbarpur, P.S. - Hilsa, District - Nalanda
 11. Rajeev Kumar Son Of Late Raghunandan Garai Resident Of Village - Akbarpur, P.S. - Hilsa, District - Nalanda
 12. Arvind Prasad Son Of Shri Baldeo Prasad Resident Of Village - Ishhakpur, P.S. - Ekangarsarai, District - Nalanda
 13. Sanjeet Kumar Son Of Nawal Kishore Prasad Resident Of Village - Akbarpur, P.S. - Hilsa, District - Nalanda
 14. Kamlesh Prasad Son of Yogendra Prasad Resident of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 15. Shringaon Prasad Son Of Ramchandra Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 16. Paras Nath Prasad Son Of Ramchandra Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 17. Ram Pravesh Jamdar Son Of Shri Mohan Jamdar Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 18. Sanjay Kumar Son Of Jagdish Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 19. Dinesh Kumar Son Of Charitra Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
 20. Dhanandjay Kumar Son Of Shri Krishnadeo Prasad Singh Resident Of Village - Kolhada Bigaha, P.S. - Ekangarsarai, District - Nalanda
 21. Dhanesh Kumar Son Of Debu Rabidas Resident Of Village - Bariyawan Rashalpur , P.S. - Salehpur, P.S. - Ekangarsarai, District - Nalanda
 22. Ashok Kumar Son Of Late Kapildeo Prasad Resident Of Village - Akbarpur,

- P.S. - Hilsa, District - Nalanda
23. Udit Rabidas Son Of Shri Jugeshwar Rabidas Resident Of Village - Rashalpur, P.S. - Ekangarsarai, District - Nalanda
24. Vijay Kumar Son Of Shri Suresh Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
25. Sudhir Kumar Son Of Shri Suresh Prasad Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
26. Nagina Jamadar Son Of Ramkhyali Jamadar Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
27. Raj Kumar Prasad Son Of Ramashish Jamdar Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
28. Rajnandan Kumar Son Of Bira Rabidas Resident Of Village - Oriyawan, P.S. - Ekangarsarai, District - Nalanda
29. Kripal Kumar 'Suman' Son Of Jagpali Mochi Resident Of Village - Rashalpur, P.S. - Ekangarsarai, District - Nalanda
30. Phekan Mochi Son Of Shri Bakholi Mochi Resident Of Village - Rashalpur, P.S. - Ekangarsarai, District - Nalanda
31. Dharmendra Jamdar Son Of Mundrika Chamdar Resident Of Village - Khanpur, P.S. - Ekangarsarai, District - Nalanda
32. Arvind Thakur Son Of Late Bindeshwar Thakur Resident Of Village - Madanpur, P.S. - Ekangarsarai, District - Nalanda.
33. Murari Ram Son of Sri Pratap Ram Resident Of Village - Sarmara, P.S. - Sarmara, District - Nalanda.

.... Petitioners

Versus

1. The State of Bihar, through the Collector, Nalanda.
2. The Collector, Nalanda.
3. The Chairman, District Establishment Committee-Cum-District Magistrate, Nalanda.
4. The Civil Surgeon-Cum-Chief Medical Officer, Nalanda.
5. The District Malaria Officer, Nalanda.

.... Respondents

Appearance:

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.

For the Respondent/s : Mr. Dev Kumar Pandey, A.C. to G.P.-2

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 30-09-2016

Heard learned counsel for the petitioners and learned
counsel for the State.

2. In this case, the petitioners have raised a grievance that



their names are not there in the panel for the purposes of regularization of service, as has been claimed that they are employed in the Maleria Department for spraying D.D.T. and in terms of the policy decision of the State Government to regularize their services, their services should have been regularized by the respondent authorities.

3. It is apparent that from time to time the Karamchari Sangh has approached this Court for giving direction to the State Government to take necessary steps for regularization of service, either in the Aurangabad district or in the Muzaffarpur district, consistently orders have been passed by this Court and directed was given to regularize the services of the persons who are working as daily wagers or seasonal worker. The issue came for consideration in C.W.J.C. No.11798 of 2008 (Annexure-11 to this writ application). This Court has considered the policy decision of the State Government dated 29.06.2011 issued by the Department of General Administration, giving a directions for the manner in which the panel is to be prepared, and did not find any fault in the scheme of preparation of the panel and directed that respondents should consider the case of the seasonal employees employed for spraying D.D.T and give them due credit for the number of days/man days that

they have worked as seasonal worker.

4. In the present case, the grievance of the petitioners that though their names were sent by the Chief Medical Officer of the Malaria Department, but the Collector, Nalanda, has not included their names in the panel prepared by him, whereas their names should also be there in the panel.

5. Learned counsel for the petitioners submits that the seasonal employee employed for spraying D.D.T. have already been accommodated and appointed in the District Collectorate of Motihari, Muzaffarpur and Aurangabad, but step-motherly treatment has been given to these petitioners.

6. Learned counsel for the State submits that as the panel has already lost its life on account of lapse of one year and whenever the fresh panel will be prepared the name of the petitioners will be included in the panel in terms of the order passed in C.W.J.C. No.11798 of 2011.

7. In such view of the matter, this Court directs the Collector, Nalanda, to examine the case of the petitioners and give same benefit as has been given to the petitioners of C.W.J.C. No.11798 of 2011. The Collector, Nalanda, is also directed to prepare a fresh panel within a period of six months from today and include

the names of the petitioners and similarly situated employees at the appropriate places.

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

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	03.10.2016
Transmission Date	