

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9378 of 2013

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1. Feku Sharma Son of Sri Ramadhar Sharma, resident of Village - Sarangpur, P.O. and P.S. Bhabhua, District - Kaimur
 2. Shyamrathi Prasad, Son of Late Ramdhari Ram, resident of village - Bhikhampura, P.O. Rudranagar Kalan, P.S. Sonhan, District - Kaimur

.... Petitioners

Versus

1. The State of Bihar through Chief Secretary to Govt., Bihar, Patna
2. The Principal Secretary cum Commissioner, Administrative Reforms Department, Govt. of Bihar, Patna
3. The Principal Secretary cum Commissioner, Animal Husbandry Department, Bihar, Patna
4. The Director, Animal Husbandry Department, Bihar, Patna
5. The District Magistrate, Kaimur at Bhabhua
6. The District Animal Husbandry Officer, Kaimur at Bhabhua

.... Respondents

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Appearance :

For the Petitioners	:	Mr. Diwakar Prasad, Advocate Mr. Rajeev Roy, Advocate
For the State	:	Mr. Anil Kumar Verma, A.C. to AAG-9

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-08-2016

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

The limited prayer has been made that the Collectorate, Bhabua, Kaimur should initiate the process for selection in terms of Bihar Group D Recruitment and Condition Rule-10 as the petitioners are also working on daily wages employee.

The counsel for the Petitioners has submitted that the respondent-authority are wrong that they are claiming appointment on the line of Uma Devi case for absorption of their services. The counsel for the petitioners submits that it is not a case of

regularization but claiming that as like as other Collectorate of the State of Bihar the Bhabua Kaimur Collectorate in terms of Rule should prepare panel of those employees working in the Collectorate and attached office as daily wages employee.

The counter affidavit has been filed by the State treating the case of regularization and repeatedly the claim has been made that the case of the petitioners does not fall in the category of either Uma Devi case or to the circular for regularization from time to time. Apart from those circular, the prayer of the petitioners is not on that line. He says that if the Collector would initiate a process of selection certainly the petitioners will also come in the zone of consideration.

This Court is not giving direction to the Collectorate for appointment of the petitioners but the Collector should initiate the process for preparation of panel whoever comes in the zone of selection would appoint the persons in accordance with the law.

With this observation, this application stands disposed of.

(Shivaji Pandey, J)

N.H./-

AFR/NAFR	NAFR
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