

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.531 of 2016

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Manoj Kumar Rawat @ Manoj Rawat, Son of Shoshan Rawat, Resident of Village-
Malaypur, P.s Malaypur, District- Jamui.

.... Petitioner/s

Versus

1. District Selection Committee, Jamui through its Chairman cum District Magistrate, Jamui.
2. Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Divisional Commissioner, Munger Division, Munger.
4. District Magistrate cum Chairman District Selection Committee, Jamui.
5. Nazarat Deputy Collector, Jamui.
6. Superintending Engineer, Road Circle, Road Construction Department, Munger.
7. Executive Engineer, Road Construction Department, Road Division Jamui.
8. Assistant Engineer, Road Construction Department, Road Sub Division Jamui.
9. Assistant Engineer, Road Construction Department, Road Sub Division Sikandra, Jamui.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate

For the Respondent/s : Mr. Shashi Shekhar Pd. Sinha, AC to GA-6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-05-2017

Heard Mr. Prabhat Ranjan Singh, learned counsel
appearing for the petitioner and Mr. Shashi Shekhar Prasad Sinha,
learned Assisting Counsel to Government Advocate No.6 for the
State.

The petitioner prays for an appropriate direction to the
respondents to prepare the panel of daily wagers in tune with the
statutory provisions underlying the Bihar Group 'D' (Recruitment
and Service Conditions) Rules, 2009 (hereinafter referred to as 'the
Rules').



Under 'the Rules' the concerned department is to prepare a panel of the daily wagers for appointment against Class-IV post and the guidelines issued thereunder present in the letter of the State Government dated 29.6.2011 at Annexure-7/1 would demonstrate that it is primarily to accommodate the daily wagers who are working in the department that these Rules were framed.

The counter affidavit at paragraph 8 while admitting that the petitioner has worked in different spells with the department, also mentions that no work has been taken from the petitioner since 2001. Such is the statement made in paragraph 10 of the counter affidavit. No rejoinder has been filed to contest such statement.

In view of the stipulations present in 'the Rules' at Annexure-7 and the clarification present at Annexure-7/1 read alongside the stand taken by the respondents that no work has been taken from the petitioner since 2001, no indulgence can be granted to the relief claimed by the petitioner in this writ petition and the writ petition is accordingly disposed of.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	11-05-2017
Transmission Date	NA

