

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.16497 of 2008**

=====

Kishori Paswan, Son of Sri Rajendra Paswan, Resident of Village Bishwanathpur,  
P.S. Dumra, Dist. Sitamarhi, at present, working as Jeep Driver on Ad-hoc payment  
in R.E.O. Works Division, Sheohar at Sitamarhi, Dist. Sitamarhi.

.... .... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Rural Development Department,  
Bihar, Patna.
2. The Chief Engineer, R.E.O.II, Road Construction Department, New Secretariat,  
Patna.
3. The Superintending Engineer, Rural Engineering Organization Works Circle,  
Muzaffarpur, Dist. Muzaffarpur.
4. The Executive Engineer, R.E.O. Works Division, Sheohar at Sitamarhi, Dist.  
Sheohar.
5. The District Magistrate, Sheohar, District Sheohar.

.... .... Respondent/s

=====

**Appearance :**

For the Petitioner/s : Mr. Durga Nand Jha, Adv.

For the Respondent/s : Mr. Mankeshwar Tiwari, AC to AAG-3

=====

**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date: 10-11-2017**

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

In this case, the petitioner is seeking relief of mandamus  
for giving direction that the petitioner, who is working continuously  
from 3.5.2000, be considered for regularization and also for payment  
on regular basis.

Admittedly, the petitioner was engaged on daily wages at  
the consolidated amount of Rs. 1,500/- per month. As per petitioner,  
he continued to perform the duty but, he has not been regularized  
though the Executive Engineer has recommended for his



regularization. Counsel for the petitioner further submits that he was working under the sanctioned post but, not followed the proper procedure.

It is an admitted fact that the entry in service of the petitioner is not in a proper channel and that too is not covered under the circular issued by the State of Bihar. If the vacancy would be notified, the case of the petitioner will be considered. At the same time, if, at any time, the State goes for regularization, the case of the petitioner will also be considered.

With the aforementioned observation, this application is disposed of.

**(Shivaji Pandey, J)**

Rishi/-

|                   |            |
|-------------------|------------|
| AFR/NAFR          | NAFR       |
| CAV DATE          | NA         |
| Uploading Date    | 15.11.2017 |
| Transmission Date | NA         |

