

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.8614 of 2012

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Hem Kumar, son of Late Bindeshwari Prasad, resident of Mohalla-Kashipur
Ward No. 12, P.O. and P.S. Samastipur, District-Samastipur

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna
3. The Deputy Secretary, Department of Personnel and Administrative Reforms, Govt. of Bihar, Patna
4. The Divisional Commissioner, Darbhanga
5. The District Magistrate, Samastipur
6. The District Certificate Officer, Samastipur

.... Respondents

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Appearance :

For the Petitioner : Mr. Md. Abdul Mannan Khan,
Mr. Md. Najmul Hodda,
Mr. Binay Kumar, Advocates

For the Respondents : Mr. Kumar Kamal Nayan, AC to SC-28

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 28-07-2017

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

2. The present writ petition has been filed for quashing
the order dated 29.12.2008 in Memo No. 10209 passed by the Deputy
Secretary, Department of Personnel and Administrative Reforms,
Government of Bihar, Patna; for a direction to the respondents for
regularization of the services of the petitioner on the post of
Muharrirs/Clerk in the Collectorate, Samastipur where he has been
working on daily wage basis since 30.06.1990 i.e. much prior to the cut
off date for regularization which is 11.12.1990; and for a direction to
the respondents to pay the wages/salary to the petitioner which are
due since June 2005.



3. At the very outset, learned counsel for the petitioner submits that several representations have been filed before the respondent authorities for regularization of his services and for payment of wages/salary which have however not been disposed of.

4. It is further stated that the prayer for quashing of the order dated 29.12.2008 is not pressed by learned counsel for the petitioner and the same is accordingly dismissed.

5. Having regard to the nature of the relief sought by the petitioner and with consent of the parties, the writ petition is disposed of, granting liberty to the petitioner to file a fresh representation for consideration of his case for regularization and for payment of wages/salary. If any such representation is filed before the District Magistrate, Samastipur (respondent no. 5) within a period of two weeks from today, the same will be considered and disposed of after grant of opportunity of hearing to the petitioner in accordance with law, expeditiously and in any event within a period of four months from the date of receipt/production of a copy of this judgment.

(Vikash Jain, J)

Md. Ibrarul/BT

AFR/NAFR	NAFR
CAV DATE	N.A.
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