

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2150 of 2009

=====

Shri Devnath, son of late MITTU, Resident of Mohalla BhikaChak, Gardanibagh,
Road No. 21, P.O. Anisabad, P.S. Gardanibagh, Patna.

.... Petitioner/s

Versus

1. The Patna Municipal Corporation through its Commissioner cum Chief of Executive Officer.
2. The Commissioner cum Chief Executive Officer, P.M.C.
3. The Dy. Chief Executive Officer, P.M.C.
4. The Chief Account Officer, P.M.C.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gajanan Arun, Adv.
Mr. Vijay Kr. Singh, Adv.

For the Respondent/s : Mr. Ranjeet Kr. Pandey, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-01-2018

Heard learned counsel for the parties.

In the present case, the relief has been sought primarily that the petitioner may be absorbed on the vacant post of Sanitary Supervisor since 1980 as he has always discharged the duty of Sanitary Supervisor but, the Municipal Corporation has disputed the claim of the petitioner by making a statement that the petitioner was always on a Class-IV post attached with the Safai Mazdoor, in the entire service career, when the petitioner was not granted any promotion then he was given 1st and 2nd A.C.P. and the petitioner has also accepted the same without raising any objection.

This Court has earlier adjourned this case at the instance



of the counsel for the petitioner, if so advised, he could have filed the reply to the counter affidavit, wherein, the Municipal Corporation, Patna has taken a firm stand that he was a Safai Mazdoor and was never made Sanitary Supervisor but, the petitioner has not filed any reply to substantiate his claim to be a Sanitary Supervisor.

In view of the fact that the petitioner has been granted 1st and 2nd A.C.P. while working as a Safaiwala, this Court does not find any merit in the present writ application. Accordingly, the same is dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.01.2018
Transmission Date	NA

