

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11333 of 2007

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Sukita Devi, wife of Sril Anil Mahaldar, resident of Mohalla Adampur,
Jhahaj Ghat, P.S. Barari, P.O. Adampur, District Bhagalpur

.... Petitioner/s

Versus

1. The Bihar Kshetriya Gramin Bank through its Chairman, Head Office at Bhagat Singh Chouk, Mungher
2. The Chairman, Bihar Kshetriya Gramin Bank, Head Office at Bhagat Singh Chowk, Mungher
3. The Regional Manager, Bihar Kshetriya Gramin Bank, Office at Radha Rani Sinha, Road, Adampur Bhagalpur
4. The Branch Manager, Bihar Kshetriya Gramin Bank, Bhagalpur Branch, at Radha Rani Sinha Road, Adampur, Bhagalpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Agrawal,
: Mr. Binay Kumar
For the State : Mr. Asim Jha
Mr. Abhinav Shrivastava

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

6 26-03-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner was engaged as daily wagers. She has approached this Court on two occasions vide C.W.J.C. 13147 of 2003 in which this Court has given liberty to file representation and direction was given to respondent to dispose of same. Again she approached this Court vide C.J.C.No.6822 of 2004 that was also disposed of vide order dated 28.02.2005 and wherein the Court has recorded as follows:

“No body has right to violate the mandate of the constitution. The petitioner was engaged on daily wages



without any advertisement/without following the process of selection and as such it is not possible to issue any direction for regularization. However, if the respondents issued advertisement for appointment, the petitioner shall be at liberty to file an application for her appointment. In case she files such an application for her appointment, the respondent shall consider her candidature taking into consideration that she was working on the post of from before and also, if she crosses the age limit the respondents shall consider for relaxation of her age”

In view of the aforesaid order the claim for regularization does not survive inasmuch as the petitioner has submitted that the Bank had issued advertisement, selection was made but she failed to be selected and against that petitioner has approached this Court vide W.W.J.C. No.323 of 2012.

In such view of the matter, there is no merit in this writ petition. It is accordingly dismissed with a liberty that petitioner may pursue her remedy as available in law.

Vinay/-

(Shivaji Pandey, J)

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