

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 20055 of 2014

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Hulas Prasad Yadav, son of Makwali Yadav, resident of Village- Rasalpur,
P.S.- Naugachia, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Fileria Control, Government of Bihar, Old Secretariat, Patna.
3. The Commissioner, Bhagalpur Division, Bhagalpur.
4. The District Magistrate, Bhagalpur.
5. The Fileria Control Officer, Bhagalpur, District-Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Rajesh Kumar Pandey, Advocate
For the Respondent/s	:	Mr Md N Hoda Khan, SC I with Ms Babita Kumari, AC to SC I

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 08-10-2018

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

2 Writ petition has been filed for regularization contending that petitioner has been working in the office of the District Philaria Department since 1974-1975 in the district of Bhagalpur.

3 The State has filed counter affidavit wherein it has been contended that the Grade IV posts under the Philaria Control Scheme (National Scheme) is State cadre post and that the process



of appointment in the Scheme cannot be done by the District Magistrate or the District Authorities.

4 On being faced with such facts in the counter affidavit, learned counsel for the petitioner submits that he would be raising his claim before the Director-in-Chief, Health Services, Bihar. It is submitted that the petitioner would be placing before the Director-in-Chief sufficient material to show that he has been in continuous duties under the said Scheme since 1974-1975 and on the strength of such proof, he would claim the relief of regularization before the Director-in-Chief, Health Services.

5 Without expressing any opinion on the merit of the submission made by learned counsel for the petitioner, writ petition is dismissed with liberty, as aforesaid.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.10.2018
Transmission Date	NA

