

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 19366 of 2013

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MANORJ MEHTAR SON OF BALRAM MEHTAR @ BALRAM
JAMADAR RESIDENT OF VILLAGE BALLIKITTA, P.O.-
KAUSHALPUR, P.S. AMARPUR, DISTRICT- BANKA

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Govt. Of Bihar, Patna
2. The Secretary Department Of Human Resources Development, Patna
3. The Secretary, Department Of Road Construction, Government Of Bihar,
Patna
4. The Chief Engineer, South Bihar Divisional Road Construction, Government
Of Bihar, Patna
5. The District Magistrate, Banka
6. The Executive Engineer Road Construction Department, Road Division,
Patna
7. The Divisional Officer, Road Construction Department, Amarpur Block,
District- Banka

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Anis Akhtar, Advocate

For the Respondent/s : Mr Amaresh Kumar Sinha, AC to GA I

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner and the
respondent-State.

It is submitted by the learned counsel for the
petitioner that the petitioner has been working as a Sweeper in
the office of Road Construction Department, Amarpur in the
district of Banka since 1997.

Learned counsel for the State, referring to Annexure 6
of the writ petition, has pointed out that since the post is not
sanctioned, therefore, the petitioner's claim for regularization



cannot be considered.

In view of the dispute being raised in the instant proceedings, this Court considers it appropriate that Principal Secretary, Department of Road Construction, Government of Bihar, Patna (respondent No 3) should take a final decision whether the services of the Sweeper in the Department is required or not and in light of such decision, the petitioner's claim for regularization may be considered.

It will be open to the petitioner to make a detailed representation within a period of four weeks from today. On such application being filed, respondent No 3 will consider the same in accordance with law and pass a reasoned and speaking order within a period of three months thereafter.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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