

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5624 of 2017

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Abdul Quadir, Son of Md. Syeed, resident of village - Malighat, Sahdullapur,
Paswan Tola, P.O. Ramna, P.S. Ahiyapur, District - Muzaffarpur

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Home Department, Govt. of Bihar, Patna
2. Principal Secretary, Home Department, Govt. of Bihar, Patna
3. Secretary Home (Prison), Govt. of Bihar, Patna
4. The Inspector General of Prison and Correctional Services, Govt. of Bihar, Patna
5. The Superintendent, Shaheed Khudi Ram Bose Central Jail, Muzaffarpur

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr. Siddhartha Prasad, Advocate Mr. Om Prakash Kumar, Advocate Mr. Sunit, Advocate
For the Respondent/s	:	Mr. Manish Kumar, GP-4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 25-06-2018

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

2. In this case, the petitioner is seeking regularization of his service on the ground that he has been discharging the duty on temporary basis as electrician. The Home Department has framed the rules under Article-309 of the Constitution of India, namely, Bihar Jails Nai and Safai Mazdoor Cadre Rules,



2011, with a view to regularize the services of daily workers working in the different jails in the State of Bihar. In pursuance thereof, an advertisement was published for regularization of the services of Nai and Safai Mazdoors and there was no such column meant for the electrician, but the petitioner has applied for regularization of his service having claimed that the Notification was meant for the daily wagers who are working from different dates irrespective of post of Nai and Safai Mazdoor, which has been accepted and the name of the petitioner was recommended for consideration, but finally the name of the petitioner does not find its place, which compelled this petitioner to approach this Court.

3. In the counter affidavit, the plea has been taken that the name of the petitioner has not been included on account of fact that the experience certificate was not available at the time of consideration of regularization and further averred that if the experience certificate comes his case will be considered and regularization will be made.

4. In the rejoinder, the petitioner has attached the experience certificate of his working.

5. In such view of the matter, this Court directs the



I.G. (Prison) to consider the case of the petitioner and will do needful by passing the order of regularization within a period of period of 8 (eight) weeks from the date of receipt / production of a copy of this order.

6. With the aforesaid observations and directions, this writ petition is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N/A.
CAV DATE	N/A.
Uploading Date	25.07.2018
Transmission Date	N/A.

