

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3933 of 2017

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1. Amit Kumar Rastogi, Son of Sri Mohan Lal Rastogi, Resident of Gulab Bagh P.S., Sadar District- Purnea.
 2. Niraj Kumar Singh, Son of Sri Vijay Singh, Resident of Majhli Chowk, P.S. K.Hat, District- Purnea.
 3. Anirudh Kumar Singh, Son of Shailendra Kumar Singh, Resident of Rani Patra, P.S. Mofassil, District Purnea.
 4. Pankaj Kumar Rai, Son of Late Parmod Rai, Resident of Survoday Nagar, P.S. K.Hat, District- Purnea.
 5. Rakesh Kumar, Son of Late Rajeshwar Prasad, Resident of Tara Nagar, P.S. K.Hat, District- Purnea.
 6. Pankaj Kumar Yadav, Son of Suresh Yadav, Resident of Nageswar Bagh, P.S. Sadar, District- Purnea.
 7. Ashutosh Kumar Choudhary, Son of Dharendra Choudhary, Resident of Majhli Chowk, P.S. K.Hat, District- Purnea.
 8. Dipankar Rai, Son of Late Bomkeshwar Rai, Resident of Durga Bari Bhatta Bazar, P.S. K.Hat, District- Purnea.

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Urban Development Department Bihar, Patna.
2. The District Magistrate District- Purnea.
3. The Mayor Nagar Nigam Purnea District- Purnea.
4. The Municipal Commissioner Nagar Nigam Purnea, through its Secretary District- Purnea.
5. The Executive Officer, Nagar Nigam Purnea, District Purnea.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Siya Ram Sahi, Advocate Mr. Nadimul Hasan, Advocate
For the Respondent/s	:	Mr. Rajiv Roy- GP1 Mr. Suresh Kumar, AC to GP1
For Purnea Nagar Nigam	:	Mr. Bijendra Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 27-09-2018

Heard learned counsel for the petitioners and learned
counsel for the State as well as Purnea Nagar Nigam.

In the present writ petition, the petitioners are seeking



relief of regularization of their services on the plea that Jawed Anwar and eight others and rest mentioned in paragraph no.9 of the writ petition, all together twenty two persons having been regularized in the services of Purnea Nagar Nigam. Though they were working alongwith the petitioners but petitioners have not been regularized.

Short facts of this case are that Jawed Anwar and eight others were regularized as they have approached this Court in C.W.J.C. No. 10206 of 2011 making a prayer that they have been working since long, they should be regularized.

In pursuance of the order passed by this Court they have been regularized in service. One Manoj Roy who was also in the same status of daily wages worker has approached this Court vide C.W.J.C. No.25058 of 2013 (Annexure F to the counter affidavit), but the plea of Manoj Roy was not accepted rather direction was given to remove Jawed Anwar and eight others from the service.

In pursuance thereof, their services were terminated, but they approached this Court in L.P.A. No. 1019 of 2014 and the order of the Learned Single Judge was set aside on the ground of failure to provide hearing to Jawed Anwar and others.

The Purnea Nagar Nigam instead of taking right



course Jawed Anwar and twenty one other persons whose names have been mentioned in paragraph no.9 of the writ petition have been regularized in service.

Now two courses have been left in the Purnea Nagar Nigam. Either Purnea Nagar Nigam should remove Jawed Anwar and others after due notice to them on consideration of their show cause or alternative course is that these petitioners who are also similarly situated persons should also be given same benefits of regularization.

The whole process should be completed within a period of four months from the date of receipt/production of a copy of this order.

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

(Shivaji Pandey, J)

Vinay/Sunny

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	3.10.2018
Transmission Date	NA

