

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6903 of 2015

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Tarun Ram Son of Late Ashok Ram resident of village- Darbartoli, ward no. 13, P.S.- Rosera, District- Samastipur. Petitioner

Versus

1. The State of Bihar, through the Principal Secretary cum Commissioner, Department of Affairs, Government of Bihar, Patna.
2. The Special Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police (Admin), Bihar Patna.
5. The Inspector General, Darbhanga.
6. The Dy. Inspector General of Police, Darbhanga.
7. The District Magistrate, Samastipur.
8. The Supdt of Police, Samastipur.
9. The Sub Divisional Police officer, Rosera, Samastipur.

.... Respondents

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Appearance :

For the Petitioner : Mr. Manoj Kumar Singh, Advocate
For the Respondents : Anuradha Singh, SC 21

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has claimed for regularization of his service as Jharukas (Sweeper). Learned counsel for the petitioner submits that the petitioner was engaged on Class IV post. He submits that he has continuously been working as Jharukas (Sweeper) in the office of the SDPO, Rosera since 2000 and that he was getting a fixed salary of Rs.100/- per month.

Claim of the petitioner has been objected to by the State counsel. A counter affidavit has been filed. Specific stand taken in the counter affidavit is that no such post of Jharukas



(Sweeper) was ever created in the office of the SDPO, Rosera nor there is any order of Superintendent of Police, Samastipur before engaging the petitioner. He submits that under some provision much earlier, Rs.100/- per month remuneration was given for maintaining cleanliness in the office upto 2008-09. Thereafter, fund was not being allotted by the Government and as such there is no question of petitioner's engagement, whatsoever after 2008-09.

Since specific stand in the counter affidavit is that the petitioner has never been engaged by a competent authority against sanctioned post, this Court would observe that petitioner has no enforceable claim for his regularization.

The writ petition is devoid of merit and is dismissed.

(Madhuresh Prasad, J)

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