

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8491 of 2018

1. Tripurari Sharan Sanjay, son of late Nawal Kishore Prasad Sinha, resident of mohalla- Dwarikapuri, Rajmata Niwas behind K.V.S. Khagaul, P.S.- Danapur, District-Patna.
2. Rajiv Kumar, son of Lalan Prasad, resident of Ramautar Bhawan, near Block Office Phulwarisharif, P.S.-Phulwarisharif, District- Patna.
3. Santosh Kumar Sinha, son of Sri Navin Chandra, resident of Line Par Mirzapur, Nawada, P.S.- Nawada, District- Nawada.
4. Anil Kumar Singh, son of Sheo Adhar Singh, resident of village- Dahrak, P.S- Ramgarh, District- Kaimur.
5. Vishnu Prabhakar Lal, son of Sri Madan Mohan Lal Kusum, resident of village- Bhagan Bigha, P.S.-Rahui, District- Nalanda.
6. Manish Prasad, son of Sri Mahendra Prasad, resident of J. Ganga Mudranalaya Park Road, Kadam Kuan, P.O. and P.S.-Kadamkuan, District- Patna.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Urban Development and Housing Department, Bihar, Patna.
2. The Principal Secretary–cum–Member Secretary of High Level Committee, Department of General Administration, Government of Bihar, Patna.
3. The Directorate of Municipal Administrative, Urban Development and Housing Department, Bihar, Patna.
4. The Joint Secretary to the Government, Urban Development and Housing Department, Bihar, Patna.
5. The Deputy Secretary-cum-Director to the Government, Urban Development and Housing Department, Bihar, Patna.
6. The Special Secretary to the Government, Urban Development and Housing Department, Bihar, Patna.
7. The Member, Rajaswa Parishad, Bihar -cum- Chairman, Bihar Combined Competitive Examination Parishad, I.A.S., Association Bhawan, Patna.
8. The Controller of Examination, Bihar Combined Competitive Examination Parishad, I.A.S. Association Bhawan, Patna.



9. The Secretary, Bihar Staff Selection Commission, Patna, Bihar.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the Respondent/s : Mr. Ranjay Kumar Singh, A.C. to S.C.-6
For Respondent No.8 : Mr. Prasoon Sinha, Advocate
For Staff Selection Commission : Mr. Satyam Shivam Sundram, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 27-07-2018

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

In this case, the petitioners are seeking regularisation in service as having claimed that they have entered into the service after facing the selection process and submitted that the Government has taken a policy decision to regularize the service of the persons who have been appointed on contract basis and has drawn the attention of this Court to the letter of Principal Secretary to the Government dated 19.05.2015, from where it appears that Sri Ashok Kumar Choudhary, I.A.S. (retired) was appointed as Chairman of High Level Committee for the purposes of regularizing the services of contractual employees, but in the meantime, a fresh advertisement has been published for recruitment where it has been mentioned that the person who has worked on contract basis will be granted weightage.



The claim of the petitioners for regularization is not sustainable in view of the fact that when the petitioners have joined the post they were knowing with the open eyes that the appointment is on contract basis and it will not be led to regularization of their service, but it was for one year and time to time it was extended. When they have full knowledge about the nature of appointment, when opted to work on contract basis, now they cannot turn round and claim that their services should be regularized. When the occasion would come for regularisation, the respondent authorities shall consider the case of these petitioners along with others and take suitable decision in accordance with law.

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

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
Uploading Date	02.08.2018
Transmission Date	N/A.

