

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3099 of 2016

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1. Ganesh Paswan, Son of Late Tuntun Paswan, R/o Village- Manjhaul, P.S. - Cheriya Brayarpur, District - Begusarai.
 2. Sitaram Sah, Son of Late Sonelal Sah, R/o Village-Samshah, P.S.- Mansurchak, District - Begusarai.
 3. Dinesh Chaurasiya, Son of Sri Jethu Mahto, R/o Village- Pakthol, P.S.- Teghra, District - Begusarai.
 4. Bipin Malakar, Son of Late Tulsi Malakar, R/o Barauni, P.S.- Phulwariya, District - Begusarai.
 5. Sanjay Ram son of late Laxmi Ram, R/o Vill +PS- Phulwariya, Dist. Begusarai.
 6. Surya Narayan Mahto, Son of Kamli Mahto, R/o village- Rajwara, P.S Barauni, District- Begusarai.
 7. Bipin Kumar Sah, Son of late Chanchal Sah, R/o village- Rajwara, P.S- Barauni District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Animal Husbandry Govt. of Bihar, Patna.
3. The Director, the Animal Husbandry Govt. of Bihar Patna.
4. The Special Deputy Director, Animal Husbandry Project Officer, Barauni district- Begusarai.
5. The Establishment Incharge-Cum-Staff Animal Treatment Officer, Animal Husbandry Directorate Bihar Patna.
6. The Regional Director, Darbhanga Commissioner, Darbhanga.
7. The Regional Deputy Directorate, Barauni.
8. The District Magistrate, Begusarai.
9. The Animal Intensive Treatment Officer, Manjhan, District- Begusarai.
10. The Animal Intensive Treatment Officer, Barauni, Begusarai.
11. The Special Officer, Intensive Animal Development, Block- Barauni, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Adv.

For the Respondent/s : Mr. Arvind Kumar, AC to GA-9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 26-03-2018

Heard Mr. Pramod Kumar Singh, learned counsel appearing
for the petitioners and Mr. Arvind Kumar, learned Assisting
Counsel to Government Advocate No.9 for the State.

The petitioners pray for regularization of their services but
the details present at paragraph 6 of the writ petition would confirm



that petitioner no.1 (Ganesh Paswan) is not in service since 30.12.1989, petitioner no.2 (Sitaram Sah) last worked until 31.12.1984, petitioner no.3 (Dinesh Chaurasiya) has not been functioning as a daily wager since 20.2.1991, petitioner No.4 (Bipin Malakar), petitioner no.5 (Sanjay Ram) and petitioner no.6 (Surya Narayan Mahto) have not been working since after 6.2.1992 and petitioner no.7 (Mr. Bipin Kumar Sah) has worked only until 31.7.1984.

The legal position as regarding the claim of regularization is well settled and a regularization can be directed only in respect of a daily wager who is in service on the date on which such claim is raised. Considering that these petitioners are out of service since almost quarter of a century, no order on regularization can be passed because any such order would amount to reinstatement of these petitioners, which prayer is neither made nor any such relief can be granted at such belated stage.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	29-03-2018
Transmission Date	NA

