

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.366 of 2019

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Dadan Ram S/o Hari Mohan Ram, Resident of Village- Narbirpur, P.O.-
Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

1. The Chief General Manager, Telecom, Bharat Sanchar Nigam Limited Near R- Block, Bihar Circle, Patna.
2. The Telecom District Manager, Bharat Sanchar Nigam Limited, Arrah, District- Bhojpur.
3. The Telecom District Engineer, Department of Telecommunication, Arrah, District- Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Dhanesh Shankar Vidyarthi
For the Respondent/s : Mr.K.P.Narayan

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-09-2019 Heard learned counsel for the petitioner.

The instant writ petition has been filed with a prayer that respondents authorities be directed to regularize the service of the petitioner as full time worker in the respondent Nigam. Reliance is placed on communication dated 12.9.2001 said to have been made from the Telecom District Manager, Arra to the Chief General Manager Telecom, Bihar Circle Patna.

The petitioner's counsel submits that from the same it is apparent that earlier some persons who were working as part time labourers were converted into full time casual labourers. In the said circumstances, the Telecom District Manager had requested the Chief General Manager Telecom for sanctioning



post so that the petitioner may also be converted into full time worker.

Long after issuance of the said letter in the year 2001, petitioner has approached the authorities in the year 2018 under right to information asking them seeking information regarding fate of the communication dated 12.9.2001 issued by the Telecom District Manager, Arra.

The respondents have replied that there is no policy of such conversion into full time worker, as such petitioner is not entitled to any such benefit.

It is also stated that the alleged communication dated 12.9.2001 is not on the record in the office of the Chief General Manager, Telecom Department. Respondent authorities have also taken a plea that the regularization of any part time/contractual employee would be a matter of policy, and as such this Court is not inclined to interfere in favour of the petitioner. Had there been any existing policy for regularization, petitioner may have raised his claim on the basis of existing policy. No such policy has been relied upon, or placed on record by petitioner in support of his claim today.

In view of the facts and circumstances which are evident from the pleadings on record no enforceable claim have



been made on the basis of any existing policy of regularization.

The petitioner has also made his claim in the instant proceedings on basis of some communication date 12.9.2001 after 18 years.

The instant writ petition stands dismissed.

(Madhuresh Prasad, J)

T.Kr./-Rahul
Mishra

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