

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 7990 of 2015

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Suresh Prasad Nirala, son of Sri Basudeo Prasad, resident of Mohalla –
Shantinagar, PS & Dist - Jamui

... .. Petitioner/s

Versus

- 1 District Selection Committee through its Chairman Cum District
Magisrtate, Jamui, Bihar
- 2 Principal Secretary, Revenue and Land Reforms Department, Government
of Bihar, Patna
- 3 Principal Secretary, General Administration Department, Government of
Bihar, Patna
- 4 Divisional Commissioner, Munger Division, Munger
- 5 District Magistrate -cum- Chairman, District Selection Committee, Jamui
- 6 District Education Officer, Jamui
- 7 Establishment Deputy Collector -cum- Member Secretary, District
Selection Committee, Jamui
- 8 Head Master, MSJP High School, Nawabandh, Jamui

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Prabhat Ranjan Singh, Advocate
For the Respondent/s : Mr Manoj Kumar, AC to GP IV

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 25-06-2019

Heard learned counsel for the petitioner and the
respondents.

2 Petitioner was working as an orderly in a private
Non-Government Aided Institution. The said fact is borne out
from the experience certificate enclosed by the petitioner as
Annexure 1 to the writ petition.

3 The relief claimed in the writ petition is that the
District Magistrate, Jamui be directed to empanel the petitioner in



the panel prepared for regularization of employees on Class IV post in the Collectorate at Jamui.

4 Respondents have filed a counter affidavit. They have taken specific stand that as petitioner was never appointed in the Collectorate or by the District Magistrate and working in a Non-Government Aided Institution, claim of the petitioner for regularization is not admissible. Reliance has been placed on Letter dated 29.06.2011 bearing Memo No 7365 to submit that only candidates, whose appointments are made by the District Magistrate, are eligible for empanelment in the panel for regularization of employees working on daily wages in the Collectorate.

5 Since the petitioner was never appointed by the District Magistrate or in the Collectorate and he was working in a Non-Government Aided Institution, relief claimed by the petitioner, is not maintainable.

6 Writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	26.06.2019
Transmission Date	NA

