

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7747 of 2019

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Dhirendra Nath Trivedi, Son of Sri Ras Bihari Trivedi, Resident of Village/Mohallah.- Koran Sarai, Post Office- Koran Sarai, Ward No. 11, Police Station- Koran Sarai, District- Buxar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through Commissioner-cum-Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Dehri-on-Sone, Division Rohtas (Bihar).
5. The Superintending Engineer, Sone Cannel, Circle Arrah, District- Bhojpur (Bihar).
6. The Executive Engineer, Sone Cannel, Division Bikramganj under the Department of Water Resources, Government of Bihar.
7. The Sub Divisional Officer, Sone Cannel, Sub-Division Nasriganj, District- Rohtas (Bihar).

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Gajendra Nath Ojha
For the Respondent/s : Mr. Harish Kumar (GP8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 09-05-2019 1. Heard the learned counsel for the petitioner and the State.

2. The petitioner is a Class-IV employee, who has been serving the Department of Water Resources since 1987 but till date his service has not been regularized.

3. Learned counsel for the petitioner has informed this Court that thrice his service was terminated but with the



intervention of this Court, he was reinstated in service. However, the fact remains that the petitioner has been discharging his duties as *ad hoc*/temporary worker.

4. The request for a direction to the respondent authorities to regularize his services cannot be acceded to in view of the law laid down by the Hon'ble Supreme Court with respect to public employment, especially what has been said in *Secretary, State of Karnataka & Ors. Vs. Uma Devi & Ors. [(2006) 4 SCC 1]*.

5. Under the aforesaid circumstances, learned counsel for the petitioner has submitted that he be given the liberty to approach the Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna for redressal of his grievance.

6. It would be open for the petitioner to agitate for redressal of his grievance before anyone of the respondent authorities. Since a prayer specifically has been made for giving him the liberty to approach the Engineer-in-Chief, Water Resources Department, Government of Bihar, Patna (Respondent No. 3), the petitioner is directed to file a



representation before the concerned respondent within a period of four weeks from today, who, on receipt of the same, shall look into the facts and pass order in accordance with law, without being influenced by the fact that this Court has asked the petitioner to file a representation before the concerned respondent.

7. With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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