

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10596 of 2019

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Rajendra Prasad Singh aged about 40 years, Male, S/o Late Raghuvir Singh,
Resident of Village-Darheta, P.O. Medanipur Barahiya District Aurangabad.
... .. Petitioner

Versus

1. The State of Bihar through the Principal secretary, Forest Department Bihar, Patna.
2. The Chief Conservator Forest department New Secretariat, Patna.
3. The Divisional Forest Officer Gaya, Division, Gaya
4. The District Forest Officer, Aurangabad, Circle, Aurangabad.
5. The Range Officer, Forest, Aurangabad Division

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate
For the Respondent/s : Mr. Sanjay Kumar, AC to SC15

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 10-06-2019 At the outset, learned counsel for the petitioner submits that at this stage he is not pressing his prayer for a direction to the respondents to regularize the services of the petitioner as Skilled Labour, however the petitioner would pray for a direction to the respondents to pay the salary of the petitioner as a Skilled Labour since he has been working continuously on the post of Night Guard and is also discharging his duties in the Forest Department by rendering service in plantation of forest under the instruction or guidance of Forester.

In course of hearing, learned counsel for the petitioner has drawn the attention of this court towards Annexure '2' which is a letter No. 696 dated 12.06.2018 written by the Forest



Conservator, Gaya Circle, Gaya to the Divisional Forest Officer, Gaya Forest Division, Aurangabad Forest Division and Nawada Forest Division in which he has requested those authorities to make applicable the additional convertible dearness allowance in case of scheduled employment under the Minimum Wages Act, 1948. Learned counsel submits that this court should direct the authorities concerned to take a view on the communication of the Forest Conservator, Gaya Circle, Gaya and a timely decision on the issues indicated in Annexure '2' would serve the purpose of the petitioner.

Learned counsel for the State though initially opposed the writ application against the prayer for regularization but at this stage submits that the limited grievance of the petitioner may be looked into by the competent authorities.

In the facts and circumstances of the case and in the nature of the prayer made in course of hearing, this court directs respondent nos. 3 & 4 to take a view on the request of the Forest Conservator, Gaya Circle, Gaya as contained in Annexure '2' to the writ application and convey their decision in this regard within a period of two months from the date of receipt/production of a copy of this order. The contentions raised on behalf of the petitioner are left open for consideration,



if occasion so arises.

This writ application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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