

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 13198 of 2011

Satrudhan Ram, S/O Late Keshwar Ram, R/O Mohalla - Indrapuri Colony,
Building No. C/15, Post - Veterinary College, P.S. Shastri Nagar, Distt. Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary, Personnel And Administrative Reforms Department, Old Secretariat, Bihar, Patna
3. The Principal Secretary, Department of Finance, Government of Bihar, Old Secretariat, Bihar, Patna
4. The Agriculture Production Commissioner, Department Of Agriculture, New Secretariat, Bihar, Patna
5. The Administrator, Bihar State Agriculture Marketing Board (Dissolved), Pant Bhawan, Bailey Road, Patna
6. The Secretary, Bihar Agriculture Marketing Board (Dissolved), Pant Bhawan, Bailey Road, Patna
7. The Sub - Divisional Officer, Danapur -Cum - Special Officer, Agriculture Produce Market Committee (dissolved), Danapur, Distt. Patna

... .. Respondent/s

For the Petitioner/s : Mr.Jai Prakash Verma
For the Respondent/s : Mr.Abhay Shankar Jha Sc14

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 15-07-2019

Heard learned counsel for the petitioner as well as the
learned State Counsel.

2 Petitioner, who was daily wager, earlier working in
the Bihar State Agriculture Marketing Board (for brevity, the
Marketing Board) is claiming his absorption in Government
service by virtue of the provisions contained in Bihar Agriculture
Produce Markets (Repeal) Act, 2006 (hereinafter referred to as
Repeal Act).



3 Claim of other daily wagers were considered earlier in the writ proceedings in the case of Nand Kumar & Others -Versus- State of Bihar & Others by a Division Bench of this Court. The decision is reported in 2010 (1) PLJR 763.

4 The matter was taken up to the Apex Court. The Apex Court was also of the view that the Repeal Act only contemplated appointment of regular employees of the erstwhile Marketing Board. Petitioners, being daily wagers, could not claim parity with the regular employees, who were appointed after a due procedure and in accordance with law.

5 Claim of other daily wagers was, thus, found not sustainable up to the Apex Court. The decision of the Apex Court is reported in (2014) 5 Supreme Court Cases 300.

6 In view of the matter, having been settled up to the Apex Court, against the claim of daily wagers, the petitioner cannot raise any claim on account of being daily wager for being offered any appointment under the provisions of the Repeal Act.

7 Writ petition is, therefore, dismissed.

(Madhuresh Prasad, J)

M.E.H./-

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

