

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17755 of 2019

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Kamdeo Das, son of late Puran Das, resident of Mohadinagar, P.S. Mozahidpur, District Bhagalpur, at present working as a Night Guard deputed at the residence of Sub-Divisional Officer, Sadar, Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Bhagalpur Division, Bhagalpur
3. The Regional Deputy Director, Bihar State Agriculture Marketing Board, Bihar, Patna
4. The District Magistrate, Bhagalpur
5. The Sub-Divisional Officer, Sadar, Bhagalpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Tripurari Nath Amastha, Advocate
For the Respondent/s : Mr. Dhuvendra Kumar A.C. to G.P.-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 23-10-2019

Heard learned counsel for the parties.

2. The petitioner is seeking direction to the respondent to regularize his services as Night Guard, since according to him, he has been working against sanctioned and vacant post of Night Guard in the office of Sub Divisional Officer, Sadar, Bhagalpur.

3. A case of similar nature has been disposed of by this Court by an order dated 17.10.2019 passed in CWJC No.17040 of 2019. The petitioner has not brought on record any order relating to his first engagement, nor any copy of the advertisement has been brought on record to satisfy the Court that there had been any



selection procedure adopted for the appointment against the said post. In such circumstance, this Court cannot issue a direction to the respondents to regularise the services of the petitioner.

4. Considering the facts and circumstances of the case, it is directed that let the said post of Sweeper be filled up on regular basis by adopting a due selection procedure.

5. It will be open that the respondents to allow some weightage in favour of the petitioner, if it is found that he has been continuously working for long, as claimed.

6. This writ application stands disposed of.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	24/10/2019
Transmission Date	N.A.

