

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18928 of 2019

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Mahesh Kumar, Son of Bhola Ram, Resident of Mohalla- Ambedkar Colony,
Yarpur, P.S.- Gardanibagh, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Deputy Secretary, Department of Home Affairs (Special), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate
For the Respondent/s : Mr. Suman Kumar, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-09-2019 Heard learned counsel for the parties.

2. Petitioner is seeking a direction to the respondents to regularise his services against vacant post of Sweeper in the Home (Special) Department, Government of Bihar. The petitioner claims that he has been working in the Department as Sweeper since 2001 on daily-wages and he has been paid his daily-wage accordingly.

3. It is evident from the statement made in the writ petition itself that the petitioner is presently not working as Sweeper. The petitioner, on the basis of his engagement on regular basis cannot derive any right and title to hold the post of Sweeper in the Department on regular basis. The question of regularisation of service of an employee under the State



Government, whose engagement itself was not in conformity with the requirements of Articles 14 and 16 of the Constitution of India, does not arise, more so, when his services have been discontinued.

4. I do not find any merit in this application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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