

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7975 of 2020

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Sunil Thakur Son of Chhathu Thakur Resident of Village- Tenduni, P.S.-
Bikramganj, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar.
2. The Inspector General Jail and Reform Services Bihar Patna.
3. The District Collector Rohtas at Sasaram.
4. The Superintendent Central Jail Buxar.
5. The Deputy Collector Land Reform- cum- Superintendent Sub Jail
Bikramganj, Rohtas at Sasaram.
6. The Sub Divisional Officer Bikramganj, Rohtas.
7. The Incharge Assistant Karapal, Sub Jail, Bikramganj, Rohtas.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Maya Shankar Mishra
		Mr.Ashwani Kumar Tiwary
For the Respondent/s	:	Md.Nadim Seraj, G.P.-5

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 10-12-2020 It is the petitioner's case that he was selected to work as daily wage Sweeper in Sub-Jail, Bikramganj, Rohtas in 2005 and since then he had been working continuously for years together. He is seeking a direction in the present writ application to regularize his services and absorb him in regular establishment. It is his specific case that services of similarly situated daily wage employees Bharat Thakuar and Birendra Kumar have been regularized/absorbed.

2. A counter affidavit has been filed on behalf of the respondents-State of Bihar, wherein it has been stated that in the



light of an order passed by this Court dated 11.12.2006 in LPA No. 284 of 1997 posts of Nai and Safai Mazdoors were created and direction was issued by the Department to initiate appointment process. Accordingly, Bihar Jail Nai and Safai Mazdoor Cadre Rules, 2011 was framed. The posts were advertised in local newspapers on 17.08.2015 for filling up the posts of Nai and Safai Mazdoors in the Jails. The applications were received in response to the said advertisement. There is specific statement made in paragraph 12 of the counter affidavit that the petitioner did not apply pursuant to the said advertisement, whereas said Bharat Thakur and Birendra Kumar had applied for the posts advertised. It has further been stated that the petitioner has not been working in Jail since 2015. Since it is an admitted fact that the petitioner is not working since 2015 and he did not apply in response to the advertisement, inviting applications for appointment against regular posts, the claim of the petitioner for regularization/absorption is not tenable.

3. This application has no merit and is, accordingly, dismissed.

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(Chakradhari Sharan Singh, J)

