

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1429 of 2018

In

Civil Writ Jurisdiction Case No.11018 of 2014

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Rajesh Kumar, son of Sri Daroga Prasad, resident of Mohalla- Gudari Rai Ka Chowk, P.O. Chapra, Police Station- Bhagwan Bazar, District- Saran, employed as Jamadar in Nagar Parishad, Chapra.

... .. Appellant

Versus

1. The State of Bihar through the Principal Secretary, Urban Development Department, Government of Bihar, Patna.
2. Nagar Nigam, Chapra, through its Municipal Commissioner, At, P.O. and P.S.- Chapra, District Saran.
3. The Mayor, Nagar Nigam, Chapra, At and P.O. and P.S. Chapra, District Saran.
4. The Empowered Standing Committee, Nagar Nigam, Chapra through its Mayor, At and P.O. and P.S. Chapra, District- Saran.
5. The Municipal Commissioner, Nagar Nigam, Chapra, At and P.O. and P.S. Chapra, District Saran.

... .. Respondents

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Appearance :

For the Appellant/s : Mr.Gyan Prakash, Advocate

For the Respondent/s : Mr. Rajeev Kumar Sinha, A.C. to A.A.G.-7

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

Date : 06-02-2020

Heard learned counsel for the appellant and learned counsel for the State.

In the present case, the appellant is seeking relief of regularization of service.

From the record, it appears that the appellant was inducted by the Executive Officer, later on, approved by the



Board. The appellant has been recruited without following the procedure as prescribed under 1977 Rules, which stipulates that the vacancy has to be advertised atleast two consecutive issues of two local newspapers having the largest circulation and pasting notices in local public office. However, no material has been brought by the appellant to show that the finding recorded by the learned Single Judge in any manner is perverse. The proceeding of the Board does not speak that any advertisement was published in the local newspaper before the recruitment, nor any material is available to indicate that proper procedure was followed.

In such view of the matter, we do not find any merit in this appeal, accordingly, the same is dismissed. However, the respondent authorities shall carry out the order of the learned Single Judge in terms of paragraph no.9 of the said order.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

pawan/-

AFR/NAFR	N.A.F.R.
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