

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22025 of 2019

1. Raushan Kumar, Son of Munna Yadav, resident of village- Tulsi Bigha, P.S. Goh, District- Aurangabad.
2. Ajay Kumar, Son of Jairam Saw, resident of village- Fatehpur, P.S.- Fatehpur, District- Aurangabad.
3. Upendra Paswan, Son of Rajdeo Paswan, Resident of village- Dumrathu, P.S. Goh, District- Aurangabad.
4. Birendra Kumar Bind, Son of Nageshwar Bind, resident of village- Jhikatiya, P.S.- Bandeya, District- Aurangabad.
5. Surendra Kumar, Son of Baleshwar Yadav, resident of village Sarea, P.S.- Goh, District- Aurangabad.
6. Ashok Kumar @ Ashok Kumar Soni, Son of Kamta Prasad, resident of village- - Deohara, P.S.- Goh, District- Aurangabad.
7. Sidheshwar Singh, Son of Ramchandra Singh, resident of village- Dhanai, P.S.l- Jamhor, District- Aurangabad.
8. Amul Kumar, Son of Nand Kumar Singh, resident of village- Adhaura P.S.- Obra, District- Aurangabad.
9. Deepak Kumar, Son of Rampati Paswan, resident of Village- Noanwn, P.S.- Obra, District- Aurangabad.
10. Ravindra Kumar, Son of Chnardhan Singh, resident of village- Kasim Bigha, P.s.- Obra, District- Aurangabad.
11. Viranjan Kumar, Son of Sidhnath Yadav, resident of village- Jajapur, P.S.- Goh, District- Aurangabad.
12. Jitendra Kumar, Son of Rambali Singh, resident of village- Noanw, P.S.- Obra, District- Aurangabad.
13. Subhash Kumar, Son of Jagdish yadav, resident of village- Jajapur, P.S.- Goh, District- Aurangabad.
14. Jitendra Kumar Bind, Son of Nageshwar Bind, resident of village- Jhikatiya, P.S.- Bandeya, District- Aurangabad.
15. Dharmendra Kumar, Son of Ram Sagar yadav, resident of village- Budhai, P.S.- Uphara, District- Aurangabad.
16. Dhirendra Kumar, Son of Suraydayal Singh, resident of village- Imamganj, P.S.- Obra, District- Aurangabad.
17. Prem Kumar, Son of Rajendra Singh, resident of village- Jajapur, P.S.- goh, District- Aurangabad.
18. Ravi Kumar, Son of Munna Yadav, resident of village- tulsi Bigha, P.S.- Goh, District- Aurangabad.
19. Shiv Pujan Ram, Son of Late Chandradip Ram, resident of village- Chapra, P.S.- Obra, District- Aurangabad.
20. Mritunjay Kumar, Son of Sidhnath Singh, resident of village- Jajapur, P.S.- Goh, District- Aurangabad.



21. Anil Kumar, Son of Janardhan Yadav, resident of village- Kasimbigha, P.s.- Obra, District- Aurangabad.
22. Kaushal Kumar, Son of Jageshwar Paswan, resident of village- Kharagpura, P.S.- Goh, District- Aurangabad.
23. Vikash Kumar Chandrabansi, Son of Ravindra Kumar Chandrabansi, resident of village- Devchand Bara, P.S.- Obra, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Animal Husbandry, Govt. of Bihar, Patna.
2. The Director, Department of Animal Husbandry, Govt. of Bihar, Patna.
3. The District Magistrate, Aurangabad.
4. The District Animal Husbandry Officer, Aurangabad.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha, Adv.
For the Respondent/s : Mr. Abhay Kumar Kashyap, AC to GP-18

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-01-2020 A counter affidavit has been filed on behalf of the Respondents-State of Bihar, a copy of which has been served on the learned counsel appearing on behalf of the petitioner today itself.

2. Since on perusal of the pleadings in the writ application, I am of the view that the relief, which the petitioner is seeking, cannot be granted, I have not allowed adjournment to consider the counter affidavit, despite sought on behalf of the petitioner.

3. The petitioners are seeking direction to the respondents to regularise their services as Vaccinator, which is a



Class-IV post. It is their case that the petitioners have been working on the post of Vaccinator on fixed honorarium after their engagement on the said post since long in the different blocks of Aurangabad district. It is their further case that they have been issued Identity Cards also, to discharge the duties as Vaccinator. On the basis of these averments, the petitioners claim that their services should be directed to regularise on the posts of Vaccinator in the district of Aurangabad, which are vacant.

4. The statement that the petitioners have been engaged as seasonal workers on fixed honorarium, as made in paragraph 5 of the writ application, is totally vague. There is no averment that any process of selection was undertaken for their engagement as seasonal workers. In my opinion, the petitioners cannot establish any claim for regularisation on the basis of what has been averred in the writ application. Posts under the State within the meaning of Article 12 of the Constitutions of India are to be filled up by adopting process of selection, which is fair and transparent through advertisement.

5. I find no merit in this writ application, which is accordingly dismissed.

(Chakradhari Sharan Singh, J)

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