

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6413 of 2020

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1. Ajit Kumar Thakur son of Rajendra Thakur resident of village- Semavia Khurd, P.s.- Riwilganj, Saran at Chhapra
 2. Ram Naresh Paswan, son of Yugeshwar Paswan resident of village- Rasalpur Pathan, P.s.- Jitwarpur, District- Samastipur Bihar, At present working as Sweeper Divisional Jail, Distt Chapra

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Jail Department Government of Bihar, Patna
2. The Principal Secretary Home (Jail) Department Government of Bihar, Patna
3. The Inspector General Prison Government of Bihar, Patna
4. The Jail Superintendent Central Jail, Motihari
5. The Jail Superintendent of Divisional Jail Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan
For the Respondent/s : Mr.Sheo Shankar Prasad (Sc8)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 17-12-2021

Heard the learned counsels for the parties.

2. In the instant petition, petitioner has prayed for following reliefs:

“That the present writ application is being filed for order or orders, direction or directions of the authority concern to consider the case of the petitioner in the light of Government of Bihar framed Bihal Jail Nai and Safai Mazdoor Cadre Rules, of 2011 under that rules, the Exercise was made to regularized those persons who have been discharging there work since long it is not to dispute that the petitioner no.-2 discharging his duty since 10.02.2007 and petitioner no. 1 discharging his duty since 16.05.2011. Bet



up till now the authority concerned not regularised his service petitioners filed money never sensation before authority concerned there after this writ application.”

3. The concerned authority is hereby directed to examine the petitioner's grievance as to whether petitioner is entitled for regularization in terms of “**Bihar Jail Nai and Safai Mazdoor Cadre Rules, 2011**” or in terms of full bench decision rendered in the case of *Ram Sevak Yadav & Another Vs. The State of Bihar & Others* reported in *2013(1) PLJR 964* passed in *CWJC No. 267 & 472 of 2010* read with the case of *Secy., State of Karnataka V. Uma Devi reported in (2006)4 SCC page 1* passed in *CWJC No. 16 of 2021*. Such a decision shall be taken in passing speaking order and communicate to the petitioner within a period of three months from the date of receipt of this order.

4. Accordingly, the instant petition stands disposed of.

(P. B. Bajanthri, J)

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AFR/NAFR	
CAV DATE	
Uploading Date	22.12.2021
Transmission Date	

