

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6701 of 2020

1. Bhartiya Jeevan Bima Nigam Dainik Majdoor Karmchari Sangh through its President Sri Murari Prasad and General Secretary Sri Ram Prasad, age 44, Male, Affiliated with All India Labour Organisation, Bhartiya Mazdoor Sangh, having its registered office at Jeevan Prakash (Loh Kutir), Bhartiya Jeevan Bima Nigam Office, Frazer Road, Patna-800001, P.s.- Kotwali, District- Patna
2. Sri Murari Prasad S/o Late Shyamdeo Prasad, President Bhartiya Jeevan Bima Nigam Dainik Majdoor Karmchari Sangh, R/o Village- Bhagwanganj, P.s.- Bhagwanganj, District- Patna, presently residing in the office of Bhartiya Mazdoor Sangh, Bihar, Quarter No. 1, Road No. 1, Gardanibagh, Patna, P.S.- Gardanibagh, District- Patna-800001
3. Sri Ram Prasad, S/o Late Shyam Nandan Prasad, General Secretary, Bhartiya Jeevan Bima Nigam Dainik Majdoor Karmchari Sangh, R/o Kanhaia Nagar, behind Mahavir Cancer Hospital, Phulwarisharif, P.S.- Phulwari, District- Patna

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India through its Chairman Yojakshema Central Office, Jeevan Bima Marg, Mumbai-400021, P.s.- Marine Drive, Mimbai (Maharashtra)
2. The Chairman Life Insurance Corporation of India, Yojakshema Central Office, Jeevan Bima Marg, Mumbai-400021, P.s.- Marine Drive, Mimbai (Maharashtra)
3. The Zonal Manager, Life Insurance Corporation of India, East Central ZSone, Jeevan Deep, Exhibition Road Patna-800001, P.s. Gandhi Maidan, District- Patna
4. The Registrar Manager (P and IR) Life Insurance Corporation of India, East Central ZSone, Jeevan Deep, Exhibition Road Patna-800001, P.s. Gandhi Maidan, District- Patna
5. The Senior Divisional Manager, Life Insurance Corporation of India, Patna Division-1, Jeevan Prakash, Frazer Road, Patna-800001, P.s. Kotwali, District- Patna
6. The Senior Divisional Manager, Life Insurance Corporation of India, Muzaffarpur Division, Jeevan Prakash, Uma Shankar Prasad Marg, Muzaffarpur-842002, P.s. Mithanpura, District- Muzaffarpur
7. Senior Divisional Manager Bharitya Jeevan Bima Nigam, Jeevan Prakash Building, Zero Mile, Bhagalpur, P.s.- Zero Mile, District- Bhagalpur
8. Senior Branch Manager, Career Agents Branch, L.I.C. of India, Jeevan Deep, Exhibition Road, Patna-800001, P.s. Gandhi Maidan, District- Patna
9. Senior Branch Manager, Patna Branch-1, L.I.C. of India, Jeevan Deep, Exhibition Road, Patna-800001, P.s. Gandhi Maidan, District- Patna
10. The Senior Chief Branch Manager-3 L.I.C. of India, Jeevan Deep, Exhibition Road, Patna-800001, P.s. Gandhi Maidan, District- Patna



11. The Senior Branch Manager, Patna Branch-4, L.I.C. of India, Jeevan Deep, Exhibition Road, Patna-1, P.s. Kotwali, District- Patna
12. The Chief Manager, Aurangabad Branch Office, Aurangabad, P.s and District- Aurangabad
13. The Branch/Sr. Chief Manager, L.I.C. of India, Nawada Branch Office, Nawada, P.s. and District- Nawada
14. The Branch/Sr. Chief Manager, L.I.C. of India, Rajgir Branch Office, Rajgir, P.s. - Rajgir, District- Nalanda
15. The Branch/Sr. Chief Manager, L.I.C. of India, Patna Saheb Branch, Patna City, P.s.- Jhauganj, District- Patna
16. The Branch/Sr. Chief Manager, L.I.C. of India, Gaya Branch-1, Gaya, P.s.- Kotwali, District- Gaya
17. Chief Manager, L.I.C. of India, Gaya Branch-2, Gaya, P.s.- Kotwali, District- Gaya
18. The Branch Manager, L.I.C. of India, Kankarbagh Branch, Patna-20, P.s.- Kankarbagh, District- Patna
19. The Chief Branch Manager L.I.C. of India, Hazipur Branch Office, P.s.- Hazipur town, District- Vaishali
20. The Chief Branch Manager, L.I.C. of India, Biharsharif Branch, Biharsharif, P.s.- Town, District- Nalanda
21. The Chief Manager, L.I.C. of India, Muzaffarpur Branch Office-1, Jeevan Jyoti, Uma Shankar Prasad Marg, Muzaffarpur-842002, P.s.- Mithanpura, District- Muzaffarpur
22. The Senior Branch Manager, L.I.C. of India, Muzaffarpur Branch Office-2, Ashram road, Bela, Muzaffarpur-842005, P.s.- Bela, District- Muzaffarpur
23. Branch Manger/Sr. Branch Manager, L.I.C. of India, Godda Branch, Rotara ChowkPirpaiti Road, Godda, P.s. and District- Godda
24. Branch Manger/Sr. Branch Manager, L.I.C. of India, Banka Branch, Dukania Market, Banka, P.s. and District- Banka
25. Branch Manger/Sr. Branch Manager, L.I.C. of India, Kishanganj Branch, Hospital road, Kishanganj, P.s. and District- Kishanganj
26. Branch Manger/Sr. Branch Manager, L.I.C. of India, Araria Branch, Katuchery Road, Bus Stand Araria, P.s. and District- Araria
27. Branch Manger/Sr. Branch Manager, L.I.C. of India, Bhagalpur Branch Office-1, Sumrit Mandal Complex, Tilakamanjhi, Bhagalpur, P.s.- Tilkamanjhi, District- Bhagalpur
28. Branch Manger/Sr. Branch Manager, L.I.C. of India, Bhagalpur Branch Office-2, In front of Bari Post Office, Bhagalpur, P.s.- town, District- Bhagalpur
29. Branch Manger/Sr. Branch Manager, L.I.C. of India, Gulab Bagh Branch, Gulab Bagh, P.s.- Gulab Bagh, District- Purnea
30. Branch Manger/Sr. Branch Manager, L.I.C. of India, Katihar Branch, Near Vijay Pokhra, Industrial Area, Katihar, P.s. and District- Katihar



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sharma, Advocate
For the Respondent (LIC): Mr. Umesh Prasad Singh, Sr. Advocate
Mr. Rakesh Kumar, Advocate
Mr. Abhimanyu Vatsa, Advocate

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

Date : 20-12-2021

Heard the learned counsels for the parties.

2. In the instant petition, petitioners have prayed for following reliefs:

“1. That this writ application is being filed for issuance of appropriate writ or writs, in the nature of the writ of Mandamus directing and commanding the respondents to regularize the services of altogether 92 daily wage workmen, whose names do find place in Annexure-1 who are the members of the petitioner no. 1, a registered union and restraining/ forbearing the respondents from forcing the said daily wage workmen belonging to the petitioner no. 1 Union, to go to the fact of the contractors as the contract workers and terminating their the services pending disposal of this writ application and further to direct the respondents to go on making payments of the admissible remuneration to the said daily wage workmen (Annexure-1).”

3. Grievance of the petitioners is that their services were engaged on daily wages by the respondent- LIC and their services stated to have been discontinued in the month of March, 2002. Their claim is that they are entitled for regularization, consequently certain financial benefits. In this



regard, the petitioners have not approached the concerned respondent in demanding their grievance by making representation/applications. In the absence of such demand, question of issuance of writ of mandamus do not warranted.

4. Accordingly, petitioners are at liberty to approach the concerned respondent in making applications/representations within a period of eight weeks from today. On receipt of petitions' application/representations, the concerned authority is hereby directed to pass speaking order on the grievance of the petitioner within a period of three months from the date of receipt of petitioners' representation.

4. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	22.12.2021
Transmission Date	

