

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15159 of 2014

=====

Md Ibrar Alam Ansari son of Late Md. Zahoor Alam Ansari, Resident of
Village- Sitnabad North, P.S. Bakhteyarpur, District- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar Rural and Engineering Department, Govt. of Bihar, Patna
2. The Secretary, Personnel and Administrative Department, Govt. of Bihar, Patna
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna
4. The Superintending Engineer of Rural Engineering Organisation Work Circle, Saharsa null null
5. The Executive Engineer, Rural and Engineering Organisation Work Circle, Saharsa null null
6. The Assistant Engineer, Rural and Engineering Organisation Work Sub Division, Saharsa

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman
For the Respondent/s : Mr. Sc-13 Arvind Kumar-1

=====

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

Date : 21-12-2021

Heard the learned counsels for the parties.

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

“A. For issuance of appropriate writ/order or direction commanding the Respondent to Regularise the services of the petitioner as he has been working since 1.4.1983 as Daily Wages employee regularly without any break.

B. For issuance of appropriate writ/order or direction not to disturb the petitioner in his working of his post in any



manner on which he has been working since 1.4.1983.

C. For issuance of appropriate writ/order or direction commanding the respondents to make payment of entire arrears as well as current salary to the petitioner treating him as Regular employee of the Department.

D. For any other relief or reliefs for which the petitioner is found entitled in the opinion of this Hon'ble Court."

3. Petitioner was stated to have been appointed against Grade- IV post as a daily wager on 01.04.1983 and continued to work in the office of Assistant Engineer, Rural Engineering Organization, Work Division, Simri Bakhteyarpur. Having regard to the length of service rendered by the petitioner, he is entitled to regularization in terms of policy decision of the State.

4. Concerned respondent is hereby directed to take note of the grievance of the petitioner in regularizing his service and also directed to take note of petitioner's service particulars and policy decision of the State Government in the light of Apex Court's decision rendered in the case of *Secy., State of Karnataka V. Uma Devi reported in (2006)4 SCC page 1* passed in *CWJC No. 16 of 2021* read with full bench decision in 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** and proceed to pass speaking order as to whether petitioner is entitled to regularize his service against one of the Class IV post or not? Such exercise shall be completed within a period of three months from the date of receipt of this order.

5. With the aforesaid observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

