

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4722 of 2021

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Bablu Kumar Son of Masudan Ram, Resident of Mohalla - Athmalgola Bazar,
P.S. - Athmalgola, District – Patna. Petitioner/s

Versus

1. The State of Bihar, through the Home Secretary, Bihar Government, Patna.
2. The District Magistrate, Patna.
3. The Circle Officer, Athmalgola, District - Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Binod Pd. Singh, Advocate
For the Respondent/s : Mr.Manish Kumar (GP 4)

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

Date : 01-02-2022

This matter is heard *via* video conferencing due to
circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the
following relief(s):-

*“(i) To regularize the service of
this petitioner on the post of Govt. Jeep
Driver in the Departments of Bihar Govt.*

*(ii) To publish the advertisement
to select the vehicle driver in the
Departments of Bihar Govt. in which
petitioner may be selected on priority
basis giving relaxation of age and
education.*

*(iii) To award the cost against
the authority concerned who is taking
services by the petitioner from 21.0.2011
on daily wage to till now.*

*(iv) To give this petitioner equal
pay for equal work from 21.02.2011 to till
now.*

*(v) To give litigation cost to the
petitioner because the respondents has
compelled this petitioner to file the present
writ petition.*



(vi) To give other(s) relief(s) to the petitioner for which the petitioner is entitled for.”

For issuance of writ of mandamus there must be two ingredients namely legal and statutory right followed by demand before the competent authority. Perusal of the writ petition both the ingredients are not forthcoming, therefore, the present petition cannot be entertained in the light of Hon’ble Apex Court decision in the case of **Mani Subrat Jain vs. State of Haryana** reported in **(1977) 1 SCC 486**.

Accordingly, the present writ petition stands dismissed reserving liberty to the petitioners to approach the competent authority in submitting a detailed representation along with the judicial pronouncements, if any within a period of eight weeks from the date of receipt of this order. On receipt of petitioner’s representation the competent authority is hereby directed to pass a speaking order and communicate to the petitioner within a reasonable period of time.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	
Transmission Date	N/A

