

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14186 of 2016

1. Mohd. Mustak Ansari and Ors son of Mohd Momtaj Ansari resident of Village- Chainpur P.S. Chanpur District kaimur at Bhabhua
2. Ram Ashish Pal son of Hari Narayan Pal resident of Village-Badoura P.S. Ramgarh District Kaimur at Bhabhua
3. Pankaj Kumar son of Sri Ram Belash Prasad resident of Village-Bhabhua P.S. Bhabhua District- Kaimur at Bhabhua
4. Gulam Sarwar son of Aash mohammad Rai resident of Village- Mohania P.S. Mohania district- Kaimur at Bhabhua
5. Santosh Kumar Rajak son of Late Hira Lal Dhobi resident of Village-Darouli P.S.- Durgawati District- Kaimur at Bhabhua
6. Ramesh Ram Son of Late Shyamu Ram resident of Village-Badhoura P.S. Ramgarh District- Kaimur at Bhabhua
7. Rinku Choubey son fo Bindhyachal Choubey resident of Village-Sapnawatia P.S. Sonhan District- Kaimur at Bhabhua
8. Shakil Ahemad son of Anamullah Ahemad resident of Village- Gaura P.S. Nuwan District- Kaimur at Bhabhua
9. Rajesh Kumar Singh son of Jagadish Singh resident of Village- Darouli P.S.- Durgawati District- Kaimur at Bhabhua
10. Mumtaz Sidakki son of Mohammaddin Sidaki resident of Village- Mohania P.S. Mohania district- Kaimur at Bhabhua
11. Shushil Tiwari son of Rama Kant Tiwari resident of Village- Jahanabad P.S. Kudara District- Kaimur at Bhabhua
12. Kamalluddin son of Jahur Rain resident of Village- Bhabhua P.S. Bhabhua District- Kaimur at Bhabhua
13. Pramod Choubey son of Bindhyachal Choubey resident of Village-Sapnawatia P.S. Sonhan District- Kaimur at Bhabhua
14. Shio ji Seth son of Bhulan Seth resident of Village-Bhabhua P.S. Bhabhua District- Kaimur at Bhabhua
15. Avinash Kumar son of Ram Pati Singh resident of Village-Kabar P.S. Bhabhua District- Kaimur at Bhabhua
16. Kamal Nayan Singh son of Paras Nath Singh resident of Village-Pakrihar P.S. mohania District- Kaimur at Bhabhua
17. Surendra Prasad son of Jahardan Prasad resident of Village-Gograksh P.S. Bhagawanpur District- Kaimur at Bhabhua
18. Sheo Murat Shah son of Late Kariman Shah resident of Village-Rudrawar P.S. Belon District- Kaimur at Bhabhua
19. Ram Chandra Paswan son of Khichari Paswan resident of Village-Deokali P.S. Belon District- Kaimur at Bhabhua

... .. Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Government of Bihar, Patna.
2. The Secretary, Rural Development, Government of Bihar, Patna
3. The Secretary, Department of Personnel and Administrative Reforms,



Government of Bihar

4. The District Magistrate, Kaimur
5. The Deputy Development Commissioner, Kaimur at Bhabhua
6. The Deputy Collector, Establishment, Kaimur at Bhabhua
7. The Block Development Officer, Chainpur District- Kaimur
8. The Block Development Officer, Bhabhua
9. The Block Development Officer, Rampur
10. The Block Development Officer, Adhaura
11. The Block Development Officer, Kudra
12. The Block Development Officer, Durgawati
13. The Block Development Officer, Ramgarh
14. The Block Development Officer, Chand
15. The Block Development Officer, Nuaon
16. The Block Development Officer, Adhaura

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arabind Nath Pandey, Advocate
For the Respondent/s : Mr. Anjani Kumar- AAG-4

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

Date : 03-01-2022

Heard learned counsel for the parties.

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

“(a) To issue an appropriate writ order or direction including a writ in the nature of Mandamus for direction to the concerned authority commanding upon the respondents to pass appropriate order for regularization /absorption of the petitioners against the sanctioned post of Zeep Driver against which the petitioners have been continuously working on daily basis and for payment of salary for which the petitioners has already been worked and for further direction to concerned respondents to give preference in the appointment of the petitioners considering the experience of the petitioners.



(b) To issue an appropriate writ, order or direction as the petitioner is found entitled to,

3. The petitioners were stated to have been appointed on temporary basis in the year 2006 to 2014.

4. In view of decision of the Apex Court in the case of *Secy., State of Karnataka and Others vs. Uma Devi* reported in (2006) 4 SCC 1 read with full bench decision of this Court in the case of *Ram Sevak Yadav and Another vs. The State of Bihar and Others* reported in 2013 (1) PLJR 964 the petitioners are not entitled for regularization. At the same time, the petitioners are entitled to seek age relaxation and other service benefits, if State Government Policy provides for the purpose of future recruitment and the same shall be taken into consideration by the concerned respondents as and when the Driver post is notified and in the event of petitioners submitting applications for the advertised post.

5. In view of the above observation, this petition stands disposed of.

(P. B. Bajanthri, J)

uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	12.01.2022
Transmission Date	NA

