

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5813 of 2020**

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1. Ranjit Kumar Jha Son of Late Baldeo Narayan Jha @ Late Baldeo Jha, resident of Village- KoiriaTola, Ward No. 24, Raxaul, P.S.- Raxaul, District- East Champaran.
2. Mukesh Kumar, Son of Prabhu Choudhary, resident of Village - Chhota Tumaria Tola, Raxaul, P.S. Raxaul, Dist.- East Champaran.
3. Krishna Kumar @ Krishna Kumar Chouhary, Son of Late Birendra Chaudhary, resident of Village - Chhoto Tumaria Tola, P.S. Raxaul, District- East Champaran.
4. Abhishek Ghosh, Son of Mahadeo Ghosh, resident of Village- Koiria Tola, Ward No. 23, P.S. Raxaul, Dist.- East Champaran.
5. Sandeep Kumar Srivastava, Son of Binod Prasad, resident of Nahari Road behind Soha Hall, Ward No. 24, Raxaul, P.S. Raxaul, District- East Champaran.
6. Birendra Mishra, Son of Late Yamuna Mishra, resident of Village Uchi Dih, P.S.- Palnawa, District- East Champaran.
7. Brajesh Kumar Singh @ Brajesh Kumar, Son of Harendra Singh, resident of Village- Sri, Ward No. 12, P.S. Palnwa, District- East Champaran.
8. Shyam Sundar Mishra, Son of Prabhunath Mishra, resident of Suganuli, Nayaka Tola, Ward No. 6, P.S.- Sugauli, District- East Champaran.
9. Vishal Kumar @ Vishal Kumar Gupta, Son of Hari Kant Prasad, resident of Main Road Koiria Tola, Raxaul, P.S. Raxaul, District- East Champaran.
10. Chhothoo Kumar, Son of Bir Bahadur Prasad, resident of Village- Sekhauna Math, Kurmi Tola, P.S. Bettiah, District- West Champaran.
11. Anand Kumar, Son of Late Lalan Prasad, resident of Mohalla- Shivpuri Colony, Near Supriya Cinema, Bettiah, P.S. Town Bettiah, District West Champaran.
12. Raj Kumar, Son of Akhileshwar Prasad @ Akhileshwar Prasad Srivastva, resident of Mohalla New Chandmari Near Wet of M.S. College field, Ward No. 26 P.S.- Town Motihari, Dist.- East Champaran.
13. Sanjay Kumar, Son of Late Brigu Dyal Prasad, resident of Gayatri Nagar behind town hall, Motihari, P.S. Town Motihari, District- East Champaran.
14. Abhishek Kumar, Son of Arun Kumar Sinha, resident of Ward No. 10, Officer Colony, Bara Chakiya, P.S. Chakiya, District- East Champaran.
15. Rajesh Kumar, Son of Hari Kishor Ram, Resident of Ward No. 18, Dhaka, P.S.- Dhaka, District- East Champaran.
16. Mukesh Kumar, Son of Ramdyal Shah, resident of Ward No. 7, Jatawaliya, Tilahra Kalan, P.S. Kumdwa Chainpur, District- East Champaran.
17. Pushkar Raj @ Pappu, Son of Pradeep Upadhayay, resident of Gora Karmwa, Ward No. 6, P.S. Majhauria, District- West Champaran.
18. Vinay Kumar Upadhyay @ Vinay Kumar, Son of Late Hagandeo Upadhayay, Raghunathpur, Ward No. 6, Gali No. 3, Near Nakchipati Pul, Raghunathpur, Motihari, District- East Champaran.



19. Anjani Kumar Shrivastva, Son of Bachcha Prasad Shrivastva, Care of Manoj Bharti, resident of Village- Purani Gludari, Mahavir Chowk, Bettiah, P.S.- Bettiah Town, District- West Champaran.
20. Vishal Kumar Gupta, Son of Raj Kumar Prasad Gupta, resident of Mahaut Toli, Near Civil Court, West Champaran at Bettiah, P.S. Bettiah Town, Dist.- West Champaran.
21. Ramesh Uraon, Son of Late Budhu Uraon, resident of Village- Nautanwa, Tola- Bariyrawa, P.S. Semara, District- West Champaran.
22. Binit Kumar Chaubey, Son of Late Durbdeo Choubey, resident of Village- Balua Rampurwa, P.S. - Baira District- West Champaran.
23. Suresh Paswan, Son of Nathuni Paswan, resident of Bagha Bankatwa, Ward No. 21, P.S. Bagha No.1, District- West Champaran.
24. Anil Kumar, Son of Late Saryu Prasad, resident of Ward No. - 28, Sitamarhi, P.S. and District- Sitamarhi.
25. Rajendra Mandal, resident of Village- Chhaurahiya, Ward No. 4, P.S. Mejarganj, District- Sitamarhi.
26. Subhash Kumar, Son of Chandeshwar Mandal, resident of Village - Madhuwan Ward No.- 4, P.O.- Chak Mahila, P.S. Punaura, District- Sitamarhi.
27. Munna Kumar Jha, Son of Rambalak Jha, resident of Village- Deokuli, P.S.- Laheriasarai, District- Darbhanga.
28. Suraj Kumar Ray, Son of Late Bhola Ray, resident of Village- Balbhadrapur, P.S. Laheriasarai, District- Darbhanga.
29. Satish Kumar Ranjan, Son of Nand Kishore Yadav, resident of Village- Barhi, P.S. Kewti, District- Darbhanga.
30. Krishan Murari, Son of Chandu Yadav, resident of Chuna Bhatti, P.S.- L.N.M.U. Thana, District- Darbhanga.
31. Pawan Kumar Sah, Son of Late Ramyatan Sah, resident of Village, P.O. and P.S. Khirhar, District- Madhubani.
32. Rajnish Kumar, Son of Shiv Shankar Paswan, resident of Village- Shobhe Patti, P.O.- Thalwana, P.S. Ashok Paper Mil, District- Darbhanga.
33. Birendra Kumar Anand, Son of Sri Mahavir Mahto, resident of Mohalla- Raham Ganj, P.O.- Lalbagh, P.S.- Town Darbhanga, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Life Insurance Corporation of India. Not Available.
2. The Chairman, L.I.C. of India (Central Zone Office) , 5th Floor, West Wing, Yogakshema, P.B. No. 19953, Jeevan Bima Marg, Nariman Point, Mumbai-400021.
3. The Zonal Manager, Life Insurance Corporation of India, Zonal Office, Jeevan Deep, Exhibition Road, Patna- 800001.
4. The Senior Divisional Manager, Life Insurance Corporation of India, Divisional Office, Muzaffarpur.



5. The Chief/Sr./ Branch Manager, Life Insurance Corporation Of India, Branch Motihari, East Champaran.
6. The Senior Branch Manager, Life Insurance Corporation Of India, Branch Bettiah, District- West Champaran.
7. The Branch Manager, Life Insurance Corporation of India, Branch Raxaul, District East Champaran.
8. The Branch Manager, Life Insurance Corporation of India, Branch Bagha, District West Champaran.
9. The Branch Manager, Life Insurance Corporation of India, Branch Sitamarhi, District- Sitamarhi.
10. The Branch Manager, Life Insurance Corporation of India, Branch Darbhanga, District- Darbhanga.
11. The Branch Manager, Life Insurance Corporation of India, Branch Laheriasarai, District- Darbhanga.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Advocate  
For the Respondent/s : Mr.Rakesh Kumar

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**CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI**  
**ORAL ORDER**

3      06-01-2022                      The matter is heard via video conferencing due to  
circumstances prevailing on account of the Covid-19 pandemic.

Mr. Rakesh Kumar counsel for the Respondents  
accepts notice.

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

(i) “ For issuance of a writ in the  
nature of mandamus directing and  
commanding the respondents to  
regularize the daily wages staff of Life  
Insurance Corporation of Indian,



Branch Motihari, East Champaran, Life Insurance Corporation of India, Branch Raxaul, East Champaran, Life Insurance Corporation of India, Branch Bettiah, West Champaran, Life Insurance Corporation of India, Branch Bagha, West Champaran, Life Insurance Corporation of India, Branch Sitamarhi, Life Insurance Corporation of India, Branch Darbhanga, Life Insurance Corporation of India, Branch Laheriasarai, Darbhanga all are under Divisional Office, Muzaffarpur, where the petitioners are working as daily wage staff, petitioner no. 6 working since 1998, petitioner no. 5,7,11,12,21,23& 27 are working since year 2006, petitioner no. 1 working since year 2007, petitioner no. 14 & 22 working since 2008 and petitioner no. 3,4,8,13,18,19,20&28 working since 2009, petitioner no, 2,17 & 29



working since 2010, petitioner no. 9,15,16,30&33 working since 2011, petitioner no. 10 & 31 working since 2012 and petitioner no. 10 & 31 working since 2012 and petitioner no. 32 working since 2016 till 3 February 2020. Thereafter they were not allowing to enter in the office and they were receiving their wages through bank account NEFT in their account. Some petitioners received their wage through contractor agency,

(ii) For issuance of a writ in the nature of mandamus directing and commanding the respondents to absorb/regularize the service of the petitioners in the light of order dated 18.01.2011 passed by the Hon,ble Supreme Court of India in Civil Appeal no. 953-968 of 2005 in the case of L.I.C of Indian and Anr. ETC Versus D.V. Anil Kumar ETC. as the case of the petitioners are



exactly similar and squarely covered by the decision of Hon,ble Apex Court.

(iii) For issuance of a writ in the nature of certiorari to quash letter dated 04.02.2020( Annexure-2) issued under signature of Senior Divisional Manager Mandal Office, Jivan Prakash Uma Shankar Prasad Marg, ramna, Muzaffarpur, Bihar 842002 whereby and where under the all branch Managers directed that any engagement in lieu of assaitant which was made till now whether through outsourcing or any other means shall cease with immediate effect. No such arranger shall be seen in any branch from tomorrow. If found stern action will be taken against the Branch In-Charge. For further direction to the respondent do not disturb to the petitioenrs from the Branch and allow them to work as earlier till the final decision of the



present case.

(iv) To grant any other relief/  
reliefs order/ orders for which the  
petitioners are entitled under law as  
well as on fact.”

Learned counsel for the petitioners on instruction restricted prayer for regularization for time being. Therefore, the concerned appointing authority is hereby, directed to examine service particulars of each of the petitioner read with Hon,ble Apex Court decision in the case of **Secy State of Karnataka and others vs. Uma Devi reported in (2006) 4 SCC1** and proceed to pass a speaking order as to whether petitioners are entitled for regularization and consequential benefit or not.? In this regard speaking order shall be passed in respect of each of the petitioner within a period of four months from the date of receipt of this order. In the meanwhile petitioners are at liberty to furnish detailed representation along with their service particulars so as to enable the concerned respondents to pass speaking order.

With the above observation, this writ petition stands disposed of.



**(P. B. Bajanthri, J)**

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