

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9830 of 2021

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Nand Mohan Sharma S/o Sita Sharan Singh Resident of Village/Mohalla-Palia, P.O.- Makhdumpur, District- Jehanabad, Presently residing at Indira Nagar, Road No.-1, Beside Fojdar Raj Mandir, P.O.- Kankarbagh, P.S.- Lohianagar, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Joint Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Engineer-in-Chief (Middle), Water Resources Department, Bihar, Patna.
5. The Chief Engineer, Irrigation Creation, Water Resources Department, Bhagalpur.
6. The Chief Engineer, Flood Control and Water Drainage, Water Resources Department, Katihar.
7. The Executive Engineer, Flood Control Division, Naugachia.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Alok Ranjan
For the Respondent/s : Mr. Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT
Date : 18-02-2022

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

2. State counsel accepts notice for respondents.



3. Counsel for the petitioner is hereby directed to serve copy of the writ petition to the counsel for the State/respondents, if it is not already served.

4. In the instant petition, petitioner has prayed for the following relief/reliefs:

“(I) For directing and commanding the respondent authorities to consider the case of the petitioner for absorption and regularization of the services of the petitioner on class IV post, from date of his initial engagement i.e. from 15.10.1981, in place of November (27.11.2019)/December 2019 and to grant all the consequential benefits attached to it after regularization from the date from which petitioner is entitled.

(II) For any other appropriate relief/reliefs to which the petitioner is found entitled in the facts and circumstances of this case.”

5. The aforesaid relief is supported by representations *vide* Annexure 7 and 12 series to this petition. Therefore, the concerned respondent is hereby directed to examine the petitioner’s representation along with judicial pronouncements, if any. If the petitioner is entitled for regularization against Class IV post, the same shall be extended with all and monetary benefits with reference to the petitioner’s service particulars. If he is not entitled, in that event, necessary speaking order shall be passed as to why the petitioner is not entitled to be regularized.



6. The aforesaid proceedings shall be drawn within a period of three months from the date of receipt of this order and shall be communicated to the petitioner.

7. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	23.02.2022
Transmission Date	

