

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10377 of 2021

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Rajendra Mandal Son of Late Ramji Mandal Resident of Village and P.S.-
Kumarkhand, District- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Administrative Reforms and Public Grievances, government of Bihar, Patna.
2. The Principal Secretary, Department of Administrative Reforms and Public Grievances, Government of Bihar, Patna.
3. The District Magistrate, Madhepura.
4. The Block Development Officer, Kumarkhand, Madhepura.
5. The Circle Officer, Kumarkhand, Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Suraj Kumar
For the Respondent/s : Ms. Babita Kumari

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

Date : 25-02-2022

The matter is heard through video conferencing.

2. State counsel accept notice for respondents.

Petitioner's counsel to serve copy of the petition to the State counsel, if it is not already served.

3. In the present petition, petitioner has prayed for following reliefs:

“1. That the instant Writ Petition is being filed by the aggrieved Petitioner for issuance of appropriate Writ(s) /Direction(s) /Order(s) commanding/ directing the Respondent(s) to:

(i) make the appointment of the Petitioner (*who is working as a driver on Daily Wages basis for*



almost last 25 years) permanent and under the appropriate pay scale,
And

(ii) to ensure the appropriate and well-time payment of the dues/arrears of salaries of the Petitioner in the present matter,
And/Or

(iii) Any other relief or reliefs for which the Petitioner is found entitled to in the facts and circumstances of this case.”

4. Aforesaid relief is supported by representation, vide Annexure- 3 series.

5. The concerned respondent is hereby directed to examine the service particulars of the petitioner read with policy decision of the State for the purpose of regularization read with 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 of this Court passed 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***.

6. In view of the above circumstances, the concerned respondent is hereby directed to pass a detailed speaking order as to whether petitioner is entitled to benefit of regularization or not. If he is entitled, necessary order shall be passed along with monetary benefits. The above exercise shall be completed



within a period of three months from the date of receipt of this order. If petitioner is not entitled to regularization in that event speaking order shall be passed and communicated to the petitioner.

7. With the above observations, the instant petition stands disposed of.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	07.03.2022
Transmission Date	

