

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3555 of 2021

Hare Krishna Sharma Son of Bharat Sharma Resident of Village Andhari
Kantho, Ward No. 16, Via Chapraon, District Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary, Personnel and Administrative Reforms Department, Govt. of Bihar, Patna.
2. The Secretary, Rural Works Department, Government of Bihar, Patna.
3. The District Collector, Katihar.
4. The District Collector, Saharsa.
5. Superintending Engineer, Rural Works Department, Works Division, Katihar.
6. Superintending Engineer, Rural Works Department, Works Division, Saharsa.
7. The Deputy Collector, Establishment, Katihar.
8. The Deputy Collector, Establishment, Saharsa.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Purnendu Keshav
For the Respondent/s : Mr. Ajay, GA-5

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

Date : 31-01-2022

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

2. In the instant petition, petitioner has prayed for
following reliefs:-

“1. That this is an application for
issuance of an order or direction or a writ
preferably in the nature of a writ of mandamus
to the concerned authorities directing them to
place the name of the petitioner at the
appropriate Serial Number in the list of daily
wagers retrenched prior to 1990 being
processed now for the regularization of daily



wagers who have worked for five years or more prior to 1990 and be further pleased to direct the authorities to appoint/regularize the petitioner on Grade 4 post in view of his eligibility, seniority and job experience granting him all consequential benefits.

and/or

be pleased to pass any other suitable and appropriate orders in the facts and circumstances of the case.”

3. The aforesaid relief is not supported by legal/statutory right followed by demand before the competent authority. In the light of Apex Court’s decision in the case of *Mani Subrat Jain V. State of Haryana & Ors.* reported in *A.I.R. 1977 SC 276*, the present petition is not maintainable.

4. Accordingly, the present petition stands disposed of reserving liberty to the petitioner to submit a detailed representation along with judicial pronouncements, if any, for the purpose of claiming regularization. If such representation is submitted within a period of eight weeks from the date of receipt of this order, in that event, the concerned respondent is hereby directed to decide the petitioner’s representation at the earliest.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

