

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20426 of 2021

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Sarun Kumar @ Sarun Kumar Ram Son of Late Munna Ram Resident of
Village- Purvi Dahiyaba Jagdamba Road, Police Station- Town Chhapra,
District- Saran (Chapra).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Department, Government of Bihar, Patna.
2. The Director of Prosecution, Prosecution Directorate to Government of Bihar, Patna.
3. The Assistant Director, Prosecution Directorate, Government of Bihar, Patna.
4. The Deputy Secretary, Home and Public, Government of Bihar, Patna.
5. The Director, Prosecution Directorate, Old Secretariat, Government of Bihar, Patna.
6. The District Magistrate, Patna.
7. The District Prosecution Officer, Patna.
8. The Sub Divisional Officer, Prosecution Office, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar Singh
For the Respondent/s : Mr. Md. Nadim Seraj (Gp5)

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

Date : 06-01-2022

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 the
following relief/reliefs:

“That the present application is being filed for
issuance of a writ in the nature of mandamus directing the
respondents to regularize the services of the Petitioner on a
regular post of Class-IV employee and for direction to pay the
petitioner a salary of basis pay scale of a Class-IV worker and
for also directing the respondent. The petitioner be paid the
arrears of payment for the work on the basis of equal pay



equal work principal and for all consequential benefits for his continuous service.”

3. Short question for consideration in the present petition is whether petitioner is entitled to be regularized against Class IV employee or not? The petitioner is stated to have been appointed on *ad hoc* basis in the year 1995 @ of Rs. 30 per day. In the light of these facts and circumstances and Apex Court decision in the case of ***Secy., State of Karnataka and Others vs. Uma Devi reported in (2006) 4 SCC page 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 in C.W.J.C. Nos. 267 and 472 reported in 2013 (1) PLJR 964***, the concerned appointing authority is hereby directed to take note of petitioner’s service particulars and decide whether he is entitled to be regularized against one of the Class IV post or not?

4. Such decision shall be taken while passing a speaking order within a period of four months from the date of receipt of this order.

5. Accordingly, writ petition stands disposed off.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	12.01.2022
Transmission Date	

