

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4421 of 2022

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Ragini Kumari D/o Late Dineshwar Prasad Singh, R/o - House/Building/Apt-
Makhdumpur, Digha Ghat, Gate No. - 89, Danapur cum Khagaul, P.S.- Digha,
Distt. - Patna, Merit list SI. No. - 346, 362,330,314 (Pages - 236,235,234
respectively).

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Labour Resources, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Labour Resources, Govt. of Bihar, Patna.
3. The Director, Employment and Training, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ram Sandesh Roy, Advocate
For the Respondent/s : Mr.Sarvesh Kumar (GP- 24)

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-11-2023 The present writ petition has been filed
seeking the following reliefs:-

“1. (i) FOR issuance of appropriate writ / writs, order / orders, direction / directions commanding the Respondents to give effect to the merit list / panel prepared against the advertisement issued by the Department of Labour Resources, Govt. of Bihar, Patna for preparation of panel of Part Time / Guest Instructors by appointing the Petitioner, in the Industrial Training Institutes of the State Government



(I.T.I) whose name is figuring in the aforesaid panel under Category C since 2019 itself.

(ii) FOR issuance of appropriate writ / writs, order / orders, direction/directions commanding the Respondents concerned to effectuate the aforesaid panel with retrospective effect giving the Petitioner all consequential benefits specially in view of the fact that the aforesaid panel still exist and the vacancies against which the said panel was prepared are not filled till date by way of permanent employment,contractual employment or in any other way.”

2. At the outset, the learned counsel appearing for the respondent-State has referred to the counter affidavit filed in the present case, more particularly paragraph-10 thereof, which is reproduced herein below:-

“10. That it is pertinent to submit here that an empanelled guest Instructor is allocated to perform work on hourly basis. Also, remuneration is paid after



calculation of number of hours work done by a guest Instructor. Thus, even after empanelment of a guest Instructor any remuneration is payable only when any class is taken by them. But in the present case, the petitioner has not taken any class and no work was taken from her, hence she is not entitled to get any payment."

3. In view of the aforesaid, it is submitted by the learned counsel for the respondent-State that the petitioner is not entitled to get any payment, as claimed.

4. Having regard to the afore-said stand taken by the respondents, not controverted by the petitioner, I find that the present writ petition is devoid of any merit, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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