

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10997 of 2021

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Ravi Lal Das son of Babu Lal Das resident of Rameshwar Agrawal, Chunihari Tola (near Kali Asthan), P.S. Kotwali, P.O. Naya Bazar, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The District Magistrate, Bhagalpur.
4. The Circle Officer, Jagdishpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh, Adv.
For the Respondent/s : Mr. Navnit Kumar AC to GP-18

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-10-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petitioner seeks quashing of the order dated 29-06-2020 (Annexure-1) whereby the Collector, Bhagalpur has refused to take work from the petitioner as a driver in the Collectorate.

3. The learned counsel for the petitioner submits that he was working in the office on daily wages and was entitled to be regularized. Specific reliance is placed on communications dated 08-12-2016 (Annexure-5) and 02-02-2017 (Annexure-6), issued from the Collectorate as well as the Circle Office, Jagdishpur, recommending the petitioner's regularization, to



submit that in spite of such recommendation, rather than according consideration to the petitioner for his regularization, they have stopped taking work from him.

4. The stand of the State, on the other hand, is that the petitioner's services were taken as a hire driver from time to time. The petitioner was never in continuous employment in any capacity in the Collectorate. The submission is that while he was being engaged as driver, on hire, he has used intemperate language with the officials and, thereafter, they have stopped taking work from him. The petitioner was never either in regular or in daily wages employment continuously so as to claim any kind of right or protection in this regard.

5. On consideration of the rival submission, this Court would find that there is no details of any process leading to the petitioner's selection for discharging duties on daily wages. There is also no details to show that he has been selected on daily wages against any sanctioned post and the specific stand of the respondents is that his services were being availed on hire from time to time appears to be correct from the record. The Annexure(s) 5 and 6, relied upon by the petitioner, does not support his claim for regularization as they are mere forwarding of his application without any recommendation in support



thereof.

6. The writ petition, is therefore, devoid of any merit and the same is dismissed.

(Madhuresh Prasad, J)

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