

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12466 of 2019

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Binod Kumar Pandit @ Binod Pandit Son of Ayodhya Pandit R/o Village-
Bahjora, P.S.-Belhar, District-Banka (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department,
Government of Bihar, Patna
2. The Principal Secretary Education Department, Government of Bihar, Patna
3. The Director Secondary Education, Government of Bihar, Patna
4. The District Magistrate Banka
5. The District Education Officer Banka
6. The District Superintendent of Education Banka
7. The District Program Officer (Establishment) Banka
8. The Principal S.N.J.N Plus2 High School, Belhar, Banka

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Balram Kapri
For the Respondent/s : Mr. Jitendra Kr. Roy 1 (SC-13)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 19-12-2023 1. The petitioner was engaged on fixed honorarium of Rs. 1,500/- per month as Night Guard in S.N.J.N., High School, Belhar, Banka, which was purely on temporary basis with clear stipulation that such engagement would not confer any right to the petitioner for regular appointment.
2. Learned counsel for the petitioner submits that the petitioner was engaged as Night Guard on 01.11.2013 and he worked till 31.10.2017 i.e. more than 240 days and after 2017, the petitioner was disengaged. Learned



counsel further submits that the petitioner is seeking regularization of his services as Night Guard in the said school.

3. The petitioner was not appointed on the sanctioned post, after following the due process of law, and he has failed to produce any scheme/policy of the Government for regularization of Night Guards or any statutory provision in this regard.
4. In view of the aforesaid facts that the appointment of the petitioner was not on a vacant post, after following the due process of law, and there is no scheme or statutory provision for regularization, accordingly, no order can be issued by this Court for regularization of the petitioner's services.
5. In the result, this writ application is dismissed.

(Anil Kumar Sinha, J)

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