

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.549 of 2023

=====

Ram Pravesh Bind Son of Lakhan Bind, Resident of Village Tengra Barnara,
P.S. Chenari, District Rohtas. Petitioner

Versus

1. The State of Bihar through Principal Secretary of Forest Department,
Government of Bihar.
 2. Divisional Forest Officer, Rohtas, Forest Division, Sasaram, Bihar.
- Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Ram Pravesh Sharma, Advocate
Ms. Madhuri Kumari, Advocate
For the Respondent/s : Mr. Tej Pratap Singh, AC to AAG-13

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-03-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner in this case is seeking a direction to the
respondent no. 2 to make regular appointment of the petitioner on the
post of Tiger Tanker with effect from 11th December, 2013.

Learned counsel for the petitioner submits that this
petitioner was working on daily wages basis as Tiger Tanker with
effect from 11th December, 2013 till 31st March, 2020 in the Forest
Division, Sasaram.

Learned counsel submits that the petitioner has been
removed from his engagement as daily wagers for the reason that he
did not possess the minimum qualification. Later on, he was given an
engagement to protect the plants in Tengra Banropan during the
period April, 2019 to March, 2020. It is submitted that the petitioner
has been wrongly removed and this Court may be pleased to direct
the respondent authorities to engage the petitioner after regularizing



him against the vacant post.

On the other hand, learned counsel for the State has opposed this writ application. Attention of this Court has been drawn towards Letter No. 2291 dated 27.09.2021 written by the Divisional Forest Officer to the Chairman of the Bihar Human Rights Commission as contained in Annexure '2' to the writ application. It is submitted that the petitioner was engaged only for protection of the plants on daily wages basis and he has been paid for the work done. The petitioner was arrested in connection with his involvement in the business of illicit liquor and consumption of liquor whereafter the respondents have disengaged him from work.

Learned counsel submits that in such circumstances, petitioner cannot claim any right to engagement.

Having regard to the facts and circumstances of the case as recorded hereinabove, this Court is of the considered opinion that the petitioner has not entered into any service of the government in accordance with law. He has no right to claim engagement as daily-wager.

This writ application has no merit. It is dismissed accordingly.

(Rajeev Ranjan Prasad, J)

lekhi/-

U			
---	--	--	--

