

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1686 of 2019

In

Civil Writ Jurisdiction Case No.21694 of 2019

Satish Kumar Son of Sri Kailash Prasad Singh, Resident of Village Nazardih,
PS. Kadirganj, Distt. Nawada.

... .. Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Transport Department, Govt. of Bihar, Patna.
2. Administrator, Bihar State Road Transport Corporation Pariwahan Bhawan, Budh Marg, Patna.
3. Divisional Manager, Bihar State Road Transport Corporation Gaya.
4. Superintendent of Bihar State Road Transport Corporation, Nawada Sub Division, Nawada.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Mukesh Kumar Singh, Advocate

For the Respondent/s : Mr.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJIV ROY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE RAJIV ROY)

Date : 04-10-2023

Heard the parties.

2. The present Letters Patent Appeal has been preferred against the order dated 02.12.2019 passed in C.W.J.C. No. 21694 of 2019 by which the prayer of the appellant-petitioner for regularization of his service on the post of



Conductor/ '*Sambahak*' in the Nawada Sub Division under Bihar State Road Transport Corporation (henceforth for short 'the Corporation') has been rejected.

3. The facts of the case in brief is/are that:

4. The appellant was initially engaged as Private Agent at Railway Crossing Bus Stand, Nawada vide letter No. 7456 dated 3.12.2010 of the Head office, Patna. Accordingly, the Nawada office vide letter No 1653 dated 14.12.2010 asked its official to accept the deposit money and issue tickets to him. Accordingly, he started working there.

5. The claim is that he continued working as such till year 2016 and further increased the revenue of 'the Corporation' for which he was also issued the appreciation letter.

6. Later, he preferred application for appointment under daily wages Labour in 'the Corporation' on 6.12.2015 with his matriculation certificate and other documents which however remained pending.

7. The case of the appellant-petitioner that while some outsiders namely Pramod Kumar/Ajay Kumar having no work experience were taken in as daily wages Driver/ Conductor, his case has been ignored.



8. The appellant-petitioner claims that he represented before the Administrator of 'the Corporation' as also the Deputy Secretary of Transport Department, Bihar, Patna but without any response.

9. Feeling discriminated, he preferred CWJC No. 21694 of 2019.

10. The writ petition was heard by the learned Single Judge on 02.12.2019 and after going through the petition and submissions put forward by the parties, it was dismissed with the following order:

"Heard both sides.

The petitioner seeks relief for regularizing his service on the post of Conductor/Sambahak in Nawada Sub-Division of Bihar State Road Transport Corporation. The petitioner was initially appointed as private agent on booking counter but later on another person was appointed as Conductor/Sambahak of Bihar State Road Transport Corporation, Nawada Sub-Division. The petitioner got maximum experience but his case has not been considered.

On the face of it, it appears that the petitioner was temporarily as ticket agent and he has got no right to be appointed on the post of Conductor/Sambahak in Bihar State Road Transportation Corporation.



Having considered the facts aforesaid, I do not find any merit in the writ petition. Accordingly, the same is dismissed.”

11. Still aggrieved, the present appeal.

12. This Court has gone through the appeal as also the order passed by the Hon'ble Single Judge. The facts that emerges is/are:

(i) the petitioner was engaged as a Booking Agent to sell the tickets in 2010;

(ii) from the record, it further appears that he did serve well as a Booking Agent for which he also got appreciation letter;

(iii) this however, does not entitle him to be considered for being appointed as a regular employee;

(iv) the Writ Court taking into account the aforesaid facts rightly chose not to extend any relief to him.

13. So far as the case of Pramod Kumar and Ajay Kumar are concerned; no document is on record to show the circumstances under which such benefits were extended to them.

14. Having gone through the contents in the appeal and the submissions put forward by the learned Counsel



for the appellant as also the order passed by the Hon’ble Single Judge dated 02.12.2019, we do not find any merit in the case.

15. The appeal is accordingly dismissed.

(K. Vinod Chandran, CJ)

(Rajiv Roy, J)

Neha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09.10.2023
Transmission Date	

