

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6895 of 2021

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Lalan Prasad Singh, Son of Late Dev Karan Rai, Resident of 16 Nirpura,
Nasirpura, P.S.- Beur, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Finance Department, Government of Bihar, Patna.
4. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
5. The State Election Commission, Sone Bhawan, Beer Chand Patel, Marg, Patna.
6. The Secretary, State Election Commission, Sone Bhawan, Beer Chand Patel Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Choudhary, Sr. Advocate
Mr. Rajeev Ranjan, Advocate
For the Respondent/s : None
For the Respondent Nos. 5 & 6: Mr. Ravi Ranjan, Advocate

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 01-07-2024

Heard Mr. Ashok Kumar Choudhary, learned
Senior Advocate for the petitioner and Mr. Ravi Ranjan, learned
Advocate for the State Election Commission.

2. There is none to represent the State.

3. It is the contention of the petitioner that he was
duly appointed as Typist in the office of State Election
Commission on 30.04.1994 on the basis of requisite
qualification against the sanctioned and vacant post in order to



cater the need of work of the State Election Commission.

4. Learned Senior Advocate at the outset drew the attention of this Court to the order of this Court dated 31.08.2010 marked as Annexure-P/2 wherein the petitioner along with others approached this Court seeking regularization of their services; and the learned Court having considered all the aspects directed the respondent authorities to consider the case of the petitioner along with others for regularization.

5. It is needless to observe that the order of this Court was came to be passed way back in the year 2010, however, even after lapse of a decade the respondent authorities have not taken pain to consider the case of the petitioner and allowed him to superannuate on 30.06.2020.

6. A counter affidavit has been filed on behalf of respondent nos. 5 and 6.

7. This Court is appalled to see the averments made in para. 9 and 13 of the counter affidavit that the matter of regularization of the petitioner along with similarly situated persons is still pending consideration before the respondent no.4 and till date no decision has been taken.

8. The State being a model employer is not expected to keep the fate of its employees in lurch; all the more,



when there is a writ of mandamus to consider the case for regularization. In such view of the matter, this Court is constrained to pass an order directing the respondents, especially respondent no.4, to consider the representation of the petitioner for his regularization, which is pending since long and even the same could not be disposed of till his retirement.

9. For the ends of justice, let a fresh representation be filed by the petitioner before respondent no.4, who shall consider the same and pass a reasoned and speaking order within a period of six weeks from the date of filing of such representation.

10. The writ petition stands disposed of.

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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