

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7255 of 2024

Sanjay Kumar@ Sanjay Ram, S/o. Late Biltu Ram @ Viltu Ram R/o. village-
Gauri Pandah P.O. Gauri Pandah P.S. Fatuha, District-Patna, Present Address-
R/o- Near Mahavir Sthan Daud Bigha, Bahadurpur Housing Colony, P.O and
P.S Agamkuan, District-Patna.

... .. Petitioner/s

Versus

1. Bharat Sanchar Nigam Ltd. Through its Chief General Manager, Telecommunication, Bihar Circle Patna-1.
2. Chief General Manager, Telecommunication, Bihar Circle, Patna-1.
3. Deputy General Manager (Admin.), Office of Chief General Manager Telecommunication, Bihar Circle, Patna-80001.
4. Assistant General Manager (Staff), Bihar Telecommunication Circle, Patna-1.
5. Assistant General Manager (Admin), Bihar Telecommunication, Bihar Circle, Patna-1.
6. The Divisional Engineer, Telephones, South Hai Complex, 6th floor, Exhibition Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Shilpi Keshri, Advocate Mr. Chandra Shekhar Singh, Advocate Mr. Suryajit Prakash, ADvocate Mr. Madhurita Raj, Advocate
For the B.S.N.L.	:	Mr. Praful Ashish Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 13-09-2024

Petitioner has assailed the order of the Central
Administrative Tribunal, Patna Bench, Patna dated 5th April, 2019
passed in T.A./050/00023/2014.

2. Grievance of the petitioner is relating to bringing him
on the temporary status with reference to temporary appointment



read with the order dated 27.02.2003 *vide* Annexure-7. Petitioner is stated to have worked from the year 1995 to 1997. His services have been dispensed in the year 1997. Consequently, it is evident that conditions stipulated under order dated 27.02.2023 like (i) He/She should have been engaged prior to 30.03.1985 (ii) He/She should be on rolls as on 07.11.1989, i.e., date of issue orders (iii) He/She should have completed 240 days attendance in a year (Financial Year/Calendar Year/Previous 12 months) and (iv) Break period, if any, should have been condoned by the competent authority. The petitioner does not fulfil the aforementioned criteria for the purpose of confirming temporary status on him. Thus, it was a subject-matter of litigation.

3. Central Administrative Tribunal, Patna Bench, Patna in para 6 to 9 has taken note of all the grievance of the petitioner including earlier litigation and found that petitioner is not fulfilling the criteria for the purpose of awarding temporary status on him. Accordingly, petitioner has not made out case so as to interfere with the order of the Central Administrative Tribunal, Patna Bench, Patna dated 05.04.2019 passed in T.A. 050/00023/2014 *vide* Annexure-1. Accordingly, writ petition stands dismissed. Pending interlocutory application(s), if any, stands disposed of.



4. At this stage, learned counsel for the petitioner submitted that as and when his services were displaced in the year 1997. He had approached judicial forum for so many years. Therefore, that should not be a hurdle for extending the benefit of temporary status. He has not appreciated that there were any interim order by the Court and he has been disengaged or is there any judicial order to the extent of reinstating the petitioner at earlier point of time in earlier litigation, in other words, from the year 1997 to even to this day he is out of service. Therefore, the aforementioned submission is not appreciable. Accordingly. it is rejected.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

Vikash/-

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

