

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12243 of 2024

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Jalsi Devi Wife of Suresh Mehter Resident of Village-Jagay, Police Station
and District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector Banka
2. The Collector, Banka.
3. The Chairman, Banka, Municipal Council, Banka.
4. The Vice Chairman, Banka, Municipal Council, Banka.
5. The Special Officer, Banka, Municipal Council, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Rajib Ranjan Jha, Advocate
For the Respondent/s	:	Mr.Jitendra Kumar Roy No.1, SC3
		Mr.Bijay Bheeshan Prasad, AC to SC 13

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 19-08-2024 Heard Mr. Rajib Ranjan Jha, learned counsel

appearing on behalf of the petitioner and Mr. Jitendra Kumar

Roy No.1, learned SC 3 along with Mr. Bijay Bheeshan Prasad,

learned AC to SC 13 for the Respondents/State.

2. Learned counsel appearing on behalf of the

petitioner seeks to withdraw the present writ petition with a

liberty to file a detail representation before the Chairman, Banka

Municipal Council, Banka (Respondent no.3) for redressal of

her grievance, as prayed for in the present writ petition.

3. Considering the grievance of the petitioner that she

has been working as Sweeper on sanctioned post, as claimed by



her, I find that the petitioner in respect of her claim for being regularized must produce relevant evidence that she has worked continuously for more than 240 days, in the light of several decisions of the Apex Court, in which it has been held that it is the claimant, who has to support her claim for regularization on the basis of evidences in accordance with law.

4. If such representation is filed, the Chairman, Banka Municipal Council, Banka (respondent no.3) must consider the case of the petitioner in the light of several decisions of the Apex Court on the principle laid down therein considering the fact that the Municipal Council has taken decision to give benefit of provident fund to all the persons similarly situated as the petitioner and has also regularized on the vacant post of Sweeper.

5. With the above observation/direction, the present writ petition stands disposed of.

(Purnendu Singh, J)

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