

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14514 of 2024

Lalan Rai @ Lalan Yadav S/o Shri Ramchandra Rai, R/o Village- Bhitahan,
Bankat Tola, P.O.- Hardiaya, P.S.- Muffassil, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Inspector General of Police, Bihar, Patna.
4. The Deputy Inspector General of Police, Bihar, Patna.
5. The District Magistrate, Motihari, East Champaran.
6. The Superintendent of Police, Motihari, East Champaran.
7. The Deputy Superintendent of Police, Motihari, East Champaran.
8. The Treasury Officer, Motihari, East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Samir Kumar, Adv.
For the Respondent/s : Government Pleader 11

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2024 Heard Learned Counsel for the petitioner and
Learned Counsel for the State.

2. The present writ petition has been filed for following reliefs:-

"(i) For issuance of a writ of mandamus and any other appropriate writ/writs, order/orders, direction/directions to the respondent's authority to regularize the Petitioner who has rendered his job as a daily wage worker on the post



of water carrier (attendant) in the office of the District Superintendent of Police, Motihari, East Champaran, from 1997 to 2005 continuously.

(ii) For further direction/directions to the respondent's authority to consider the direction afresh passed on 19.03.2024 by the Hon'ble High Court in CWJC no. 13913 of 2023

(iii) For further direction to the respondent's authority on any post for which the petitioner is eligible, as he has crossed the age of getting a job afresh.

(iv) For issuance of writ/writs, order/orders to direct Respondent no. 6 (Superintendent of Police, Motihari) to dispose of representation of the petitioner after proper verification.

(v) Any other relief or reliefs to which the petitioner is found entitled to in the facts and circumstances of the case."

3. Learned Counsel for the petitioner submits that the petitioner had earlier moved before this Court twice, firstly in CWJC No. 17811 of 2016 in which vide order dated 21.05.2019 this Court did not find any merit in the writ petition and it was



dismissed with liberty that if the petitioner approached before the competent authority for regularization then authority shall take decision in accordance with law. Counsel further submits that the second writ petition has been filed in CWJC No. 13913 of 2023 in which vide order dated 19.03.2024 the writ petition was disposed off as not pressed with liberty to the petitioner to approach the respondent for redressal of the aforesaid grievances. Counsel submits that a representation was filed before the District Superintendent of Police, Motihari, East Champaran on 25.07.2024 but no order has been passed and the authority are sitting tight over the matter.

4. Learned Counsel for the State submits that the petitioner has moved twice and this is the third round of litigation. Counsel submits that regularization of daily wager is not permissible in the present scenario. Counsel further submits that the State of Bihar has framed a Rule for appointment of Group IV post, these rules are called as Bihar Office Attendant/Attendant (specific) [recruitment and service conditions] Rules, 2023 on 25th September 2023.

5. In the present facts and circumstances, this Court is not inclined to grant any relief by way of filing the writ petition but only liberty is hereby granted to the petitioner that he may



appear in the said Rule. It is directed to State respondent that only for one time relaxation in the age be given so that he may appear in the examination process.

6. With the aforesaid observations and directions, the writ petition stands dismissed.

(Dr. Anshuman, J.)

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