

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14309 of 2024

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Sudhanshu Kumar Singh S/o Ramsnehi Singh R/o Village- Bishunpur
Kishundeo, P.O. Khairwa Darp, P.S. and District- Sheohar (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The District Magistrate, Sheohar.
4. The Additional District Magistrate, Nazarat, Sheohar.
5. The Additional District Magistrate (Establishment), Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Adv.
For the State	:	Mr. Mujtabaul Haque, G.P.-12, Mr. Vasant Vikas, AC to GP-12

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CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

- 2 25-09-2024 The petitioner was appointed as Driver of daily wage basis in the collectorate of Sheohar to drive the Government vehicles. Since his appointment was as daily wage Driver, he has been working on the said post continuously for 14 years. It is specifically averred in paragraph-4 of the writ petition that his appointment, though on daily wage basis, was against the existing vacancy. He discharged his duty as a regular employee in the Government establishment. However, on 30th March, 2024, he was terminated from service without showing any reason. There is no allegation against the petitioner of dereliction of duty during his period of service.



2. In *Vinod Kumar and Others. Vrs. Union of India and Others*, reported in (2024) SCC online SC 1533, it is held by the Hon'ble Supreme Court that the failure to recognize the substantive nature of their roles and their continuous service akin to permanent employees by contractual/daily wage workers would runs counter to the principles of equity, fairness, and the intent behind employment regulations.

3. The petitioner submitted a representation before the District Magistrate, Sheohar on 16th June, 2023 and 30th March, 2024 for his regularization, but the said representations remained unheard and undisposed of till date.

4. For the reasons stated above and also considering the submission made on behalf of the State/respondents, the District Magistrate-cum-Collector, Sheohar is directed to dispose of the said representations within 60 days from the date of communication of this order, in the light of the observation made by the Hon'ble Supreme Court in *Vinod Kumar and Others. Vrs. Union of India and Others* (supra) as well as the decision in the *State of Karnataka and Others Vrs. M.L. Kesari*, reported in (2010) 9 SCC 247 and *Amarkant Rai Vrs. State of Bihar and Others*, reported in (2015)) SCC 265.

5. The District Magistrate, Sheohar is further directed



that if, he is not competent to dispose of the said representations, he will forward the said representations along with a copy of this order to the concerned authority, who is entitled to dispose of the said representations.

6. With the above order, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

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