

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16985 of 2024

1. Krishna Murari Son of Late Naresh Singh Resident of Village- Abdalpur, Sultanpur P.S.- Fatuha, District- Patna.
2. Kailash Paswan Son of Upendra Paswan Resident of Badgaon, P.S.-Konch, District-Gaya.
3. Antim Devi Wife of Krishna Murari Resident of Abdalpur, Sultanpur, P.S.- Fatuha, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Animal Husbandry Department, Government of Bihar, Patna.
2. The Director of Animal Husbandry Department, Government of Bihar, Patna.
3. Regional Director, Animal Husbandry, Patna Division, Patna.
4. The District Magistrate, Patna.
5. The District Animal Husbandry Officer, Patna.
6. The Block Animal Husbandry Officer, Fatuha, Patna.
7. The Block Animal Husbandry Officer, Gaya.
8. The District Magistrate, Gaya.
9. The District Animal Husbandry Officer Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar, Advocate
For the Respondent/s	:	None

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-11-2024 Heard Mr. Sumit Kumar, learned Advocate for the petitioners. There is no representation on the part of the State respondents.

2. The petitioners, who have been working as a daily wage employee as Vaccinator under MAITRI program of Health Department at different districts, have approached before this



Court seeking a direction upon the respondents concerned to consider their claim for regularization against vacant post of Class IV, as they have been discharging their duties for more than 240 days, as required for regularization.

3. Learned Advocate for the petitioners contended that the petitioners, who have been discharging their services as Vaccinator for the last 8-9 years, their cases have not been considered for regularization, till date, despite the law settled by the Hon'ble Apex Court in the case of *Secretary, State of Karnataka & Ors. Vs. Umadevi (3) & Ors.*, reported in (2006) 4 SCC 1, that at least as a one time measure, their cases should be considered for regularization. Learned Advocate for the petitioners further contended that identically situated employees have approached before this Court in CWJC No. 13059 of 2018 and the liberty has been allowed to them to represent before the concerned authorities for consideration of their past services. The copy of the aforementioned order has been placed on record as Annexure-P/18 to the writ petition.

4. Considering the limited grievance of the petitioner, this Court deems it proper to dispose off the writ petition, in terms of the order dated 25.02.2019 passed in CWJC No. 13059 of 2018, which reads as follows:

“3. In any view of the matter,



as a one time measure, Courts have been allowing the petitioners to represent before the concerned authorities for consideration of the past services rendered by them, but with a caveat that their prayer for being regularized in service is to be considered only if there are vacant sanctioned posts and their cases have not been earlier taken-up for consideration.

4. In the same series for such cases, this Court only directs the petitioners to make a representation before the Director, Department of Animal Husbandry, Govt. of Bihar, Patna (respondent No. 2), detailing their grievances and the claim to be appointed on the regular post, within a period of four weeks from today. On receipt of such representation, the same shall be disposed off by the concerned authority (respondent No. 2) within a further period of six weeks thereafter, preferably by a reasoned order.”

5. In view thereof, the writ petition stands disposed off with the same terms, as noted hereinabove.

(Harish Kumar, J)

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