

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1432 of 2019

In
Civil Writ Jurisdiction Case No.18023 of 2019

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1. Md. Sairul Son of Late Damodar Miyan, R/o Village-Kataiya Got Ward no. 13, P.O. Kataiya Mane, P.S.-Pipara, District-Supaul.
 2. Ram Prasad Mandal, son of Late Babua Mandal, Resident of Village Jhakarahi Ward No. 27 Supaul, Police Station-Supaul, District-Supaul.
 3. Gajendra Thakur, son of Late Surya Narayan Thakur, Resident of Village Chakala Nirmali, P.O. and Police Station and District-Supaul.
 4. Vivekanand Jha, Son of Late Bhuneshwar Jha, Resident of Muradpur, P.O. Muradpur, Police Station Nauhata, District Saharsa.
 5. Bishnudeo Sah, son of Late Baldeo Sah, Resident of Village Chak Dumariya, Police Station Karnpur, District-Supaul.
 6. Md. Ahashan, son of late Gulam Rasul, Resident of Mathni Puaranwar, P.O. Shukpur, District-Supaul.
 7. Kapleshwar Sah, Son of Late Jagdish Sah, Resident of Village Maricha, P.O. Kharal, P.S. and District-Supaul.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration earlier known Personal Administrative Reforms, Govt. of Bihar, Patna.
2. The Deputy Secretary, Department of General Administration earlier known Personal Administrative Reforms, Govt. of Bihar, Patna.
3. The District Magistrate, Supaul.
4. The Deputy Collector Establishment, District Supaul.
5. The Chief Engineer, Water Resources Department, Birpur, District Supaul.
6. The Superintending Engineer, Irrigation Division, Water Resources Department, Saharsa.
7. The Executive Engineer, Irrigation Division, Water Resources Department, Saharsa.
8. Assistant Engineer, Irrigation Division, Water Resources Department, Saharsa.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Jitendra Kumar Roy, Advocate Mr. Harsh Anuj, Advocate
For the Respondent/s	:	Mr.Prabhat Kumar Verma (AAG3) Mr.Saroj Kr. Sharma, AC to AAG3



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

Date : 08-08-2024

The appellants have assailed the order of learned single judge dated 14.10.2019 passed in C.W.J.C. No. 18023 of 2019.

2. Grievance of the appellants are that they are entitled for regularization in the light of the fact that they were appointed as a daily wager prior to 1990 and their services have been dispensed and date of dispensation of each of the appellant are not forthcoming. So, we have to draw inference that their services were dispensed prior to 16.03.2006 the date on which the State have evolved policy relating to regularization of daily wager / ad-hoc employees with certain conditions. If the appellants fail to fulfill the conditions stipulated for the purpose of regularization under the regularization policy dated 16.03.2006. Further, if they fail to fulfill the conditions stipulated by the Hon'ble Supreme Court in the case of **Secretary, State of Karnataka Vs Uma Devi and others** reported in **(2006) 4 SCC 1** to the extent that daily wager working for a period of ten years as on 01.04.2006 and against the sanctioned post and other conditions are stipulated.



3. The learned counsel for the appellants has not apprised this Court as on 01.04.2006 appellants have completed ten years of services as a daily wager and so also they were working against sanctioned post. In the absence of these materials, learned single judge has rightly dismissed the writ petitions of the appellants. Hence, no interference is called for in so far as order of learned single judge dated 14.10.2019 passed in C.W.J.C. No. 18023 of 2019.

4. Accordingly, the present L.P.A. No. 1432 of 2019 stands dismissed.

5. Pending I.A.s, if any, stands disposed of.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

alok/-

AFR/NAFR	NAFR
CAV DATE	N/A
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