

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.13 of 2024

In
Civil Writ Jurisdiction Case No.10997 of 2021

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Ravi Lal Das Son of Babu Lal Das, Resident of Rameshwar Agrawal,
Chunihari Tola (near Kali Asthan) P.S. Kotwali P.O. Naya Bazar District
Bhagalpur.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna.
2. The Commissioner, Bhagalpur Division, Bhagalpur.
3. The District Magistrate, Bhagalpur.
4. The Circle Officer, Jagdishpur, District- Bhagalpur.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Birendra Singh, Advocate
For the Respondent/s : Mr. Addl. Advocate General 12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 07-05-2025

Re.- I.A. No. 1 of 2024

The learned Advocate for the appellant/
applicant presses I.A. No. 1 of 2024 for condoning the
delay of 54 days in preferring this appeal.

2. For the reasons stated in the application, the
delay of 54 days in preferring this appeal is condoned.

3. I.A. No. 1 of 2024 stands allowed.

L.P.A. No.13 of 2024

4. The appellant had approached the High Court



vide CWJC No.10997 of 2021 when work was not being taken from him by the superior officers.

5. The appellant was hired as a driver on daily-wage basis from before 2015. On enquiry by the superior officers about the number of such daily-wage employees, the details regarding the appellant was also sent to the department indicating that he was working as a hired driver from before 2015.

6. It appears from the records that because of the intemperate behaviour of the appellant, the officers stopped taking work from him; meaning thereby that his employment as a daily-wage driver was terminated. There is however no complaint of the appellant that he was not paid for the days that he had worked as a daily-wage driver.

7. The learned Single Judge, on being asked to consider whether the appellant qualified to be regularised in service because of his having served as a driver for good many number of years, it was observed that even his appointment on daily-wage basis was not reflected in



any record.

8. It appears that the appellant was orally engaged and it was only on oral instructions that he was stopped from working.

9. In this factual scenario, we do not find any fault with the order passed by the learned Single Judge. There is no other way in which the case of the appellant could have been decided.

10. Nonetheless, while dismissing the appeal, we do observe that in case the appellant furnishes proof of the fact that he has not been paid for the period that he has worked, the respondents shall take into consideration the aforementioned representation, if at all filed, and redress the grievance of the appellant.

11. The appeal is dismissed.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Saurabh/Rajesh

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