

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.626 of 2021

In

Civil Writ Jurisdiction Case No.7703 of 2020

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Aditya Shankar Singh S/O Late Jagdish Singh Resident of Mohalla - A.G. Colony, House No. - A/219, Ashiyana Nagar, Post Office - Shastri Nagar, Police Station - Shastri Nagar, District- Patna.

... .. Appellant/s

Versus

1. Union of India Represented through Secretary, Ministry of Human Resources Development, Government of India, Shastri Bhawan, New Delhi, Pin - 110001.
2. Indira Gandhi National Open University, Maidan Garhi, New Delhi.
3. The Vice-Chancellor, Indira Gandhi National Open University, Maidan Garhi, New Delhi.
4. The Registrar, Indira Gandhi National Open University, Maidan Garhi, New Delhi.
5. The Registrar, Indira Gandhi National Open University, Regional Centre, Patna Institutional Area, Mithapur, Patna - 800001, Bihar (India).
6. Regional Director, Indira Gandhi National Open University, Regional Centre, Patna Institutional Area, Mithapur, Patna - 800001, Bihar (India).
7. Dr. Meeta Assistant Regional Director, Indira Gandhi National Open University, Regional Centre, Patna Institutional Area, Mithapur, Patna - 800001, Bihar (India).

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Ajit Kumar, Advocate
For the Respondent/s : Mrs. Punam Kumari Singh CGC

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 24-03-2025

The appellant has assailed the order of the learned
Single Judge dated 06.10.2021 passed in CWJC No. 7703 of
2020.



2. The appellant was initially appointed as a daily wager @ Rs. 180/- with certain conditions that he is not entitled for permanent status or regularization and other conditions. Having accepted such conditions, he was continued to discharge the duties of the post of a daily wager till 2018. His services have been displaced in the year 2018 for about one year and thereafter he has failed to assail the action of the respondents insofar as discontinuing his services in the year 2018, for a period of about one year, thereafter once again he has been appointed. In this regard, he has not furnished any material to show that he has been appointed by the official respondents on the other hand payments were made through a private agency.

3. Taking note of these facts and circumstances, the appellant has not been able to make out a case so as to interfere with the learned Single Judge order dated 06.10.2021 claiming for regularization.

4. He has also not pointed out any statutory provision of law that he is entitled for regularization. In fact, the Hon'ble Supreme Court in the case of ***Secretary State of Karnataka and Ors Vs. Uma Devi & Ors*** reported in (2006) 4 ***SCC 1*** specifically bars insofar as appointment of daily wagers and subsequent regularization and cut-off date is from the date



of judgment in the year 2006 i.e. 10.04.2006.

5. In the light of these facts and circumstances, the appellant has not made out a case, the LPA stands dismissed while affirming the order of the learned Single Judge.

(P. B. Bajanthri, J)

(Alok Kumar Sinha, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
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