

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7722 of 2022

1. Md. Idrish Mansuri Son of Late Ramjani Miyan Resident of Village- Khodabandpur, Ward no. 02, P.S.- Khodabandpur, District- Begusarai.
2. Ranjit Paswan Son of Bhola Paswan Resident of Village- Bhansi Mansi, Ward No.- 02, P.S.- Garhpura, District- Begusarai.
3. Bambam Jha Son of Late Ram Kumar Jha Resident of Village- Bahuara, P.S.- Mansurchak, District- Begusarai.
4. Sanjeet Kumar Son of Rajenda Ray Resident of Village- Mohan Bigha, Ward no. 41, P.S.- Muffassil, District- Begusarai.
5. Motilal Sah Son of Panna Lal Sah Resident of Village- Kalyanpur, P.S.- Sahebpur Kamal, District- Begusarai.
6. Hari Shankar Das Son of Sukhdeo Das Resident of Village- Musahari, P.S.- Khodabandpur, District- Begusarai.
7. Vijay Kumar Paswan Son of Late Ramprit Paswan Resident of Village- Sherpur, P.S.- Bhagwanpur, District- Begusarai.
8. Kundan Kumar Kaushik Son of Ramnandi Verma Resident of Village- Maisana, P.S.- Garhpura, District- Begusarai.
9. Dharmenda Kumar Singh Son of Polindra Singh Resident of Village- Hajipur, P.S.- Barauni, District- Begusarai.
10. Avinash Kumar Singh Son of Nawal Kishore Singh Resident of Village- Daniyalpur, Gate no.- 12, P.S.- Teghra, District- Begusarai.
11. Surjeet Kumar Son of Late Sumrit Paswan Resident of Village- Chiranjivipur, P.S.- Bachhwara, District- Begusarai.
12. Ritesh Kumar Son of Sitaram Singh Resident of Village- Ramdiri Mahajee Tola, P.S.- Matihani, District- Begusarai.
13. Pankaj Kumar Son of Shashidhar Paswan Resident of Village- Ulaw, Ward no. 3, P.S.- Begusarai, District- Begusarai.
14. Lal Babu Kumar Son of Manoj Jha Resident of Village- Tilrath, P.S.- Barauni, District- Begusarai.
15. Rakesh Kumar Son of Mahendra Tanti @ Mahendra Das Resident of Village- Suryapur, P.S.- Bhagwanpur, District- Begusarai.
16. Ajeet Kumar Son of Rajendra Ray Resident of Village- Bari Aighu, P.S.- Begusarai Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Principal Secretary, Department of General Administration, Patna.
2. The Principal Secretary Department of General Administration, Govt. of Bihar, Patna.
3. The Collector cum District Magistrate Begusarai.
4. The Additional Collector Begusarai.



5. The Deputy Collector Establishment, Begusarai Collectorate, Begusarai.
6. The Sub-Divisional Officer Begusarai.
7. The Block Development Officer Cheriya Baiyarpur, District- Begusarai.
8. The Block Development Officer Garhpura Block, District- Begusarai.
9. The Block Development Officer Mansurchak Block, District- Begusarai.
10. The Block Development Officer Matihani Block, District- Begusarai.
11. The Circle Officer Sahebpur Kamal, District- Begusarai.
12. The Block Development Officer Khodabandpur, District- Begusarai.
13. The Block Development Officer Bhagwanpur, District- Begusarai.
14. The Circle Officer Nawkothe, District- Begusarai.
15. The Circle Officer Barauni, District- Begusarai.
16. The Block Development Officer Teghra, District- Begusarai.
17. The Circle Officer Bhagwanpur, District- Begusarai.
18. The Circle Officer Matihani, District- Begusarai.
19. The Circle Officer Begusarai Sadar, District- Begusarai.
20. The Block Development Officer Barauni, District- Begusarai.
21. The Block Development Officer Veerapur, District- Begusarai.
22. The Block Development Officer Begusarai, District- Begusarai.

... ... Respondent/s

Appearance :

For the Petitioner/s : Mr. Om Prakash Maharaj, Advocate
For the Respondent/s : Mr. Md. Nadim Seraj (GP-5)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 29-01-2026 Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

*“I. For issuance of an appropriate
writ/writs, order/orders,
direction/directions commanding the
Respondents authorities to
absorb/regularise the services of the*



petitioners against the class-iv posts as driver/peon in terms of the Government Resolution vide Memo no.639 dated 16.03.2006, letter dated 28.12.2011 and letter no.10883 dated 30.08.2017 issued by the Addl. Secretary, Department of General Administration, Govt. of Bihar, Patna as contained in Annexure- 17 Series.

II. For issuance of a direction/directions to the Respondents to restrain them from removing the petitioners from their respective service.

III. For issuance of a direction/directions to make payment of the due remuneration to the petitioner, if any.

IV. For issuance of any other relief/reliefs for which the petitioners are found entitled to under the facts and circumstances of the case.

And/Or

Pass such other order/orders, direction/directions which your Lordships may deem fit and proper under the facts and circumstances of the case.”

3. Learned counsel for the petitioners submit that they have filed representation before the District Magistrate, Begusarai vide Annexure-19, which has been received in the



office of D.M on 01.04.2022, but no order has been passed on the same. Counsel submits that the petitioners are appointed as daily wagers and work of Chief Driver has been taken from them.

4. Learned counsel for the State submits that the counter affidavit has been filed in which it has come that the petitioners were appointed as daily wage employees and they are demanding consideration for regularization on Class-III post which is of driver. He submits that the petitioners are not entitled for any relief as in the light of ***Kapil Kumar & Ors. Vs. The State of Bihar & Ors. with other analogous cases*** reported in ***(2020) 1 PLJR 287***, the D.M cannot make regular appointment.

5. In light of the submissions made and upon a specific query from the Court as to whether any decision has been taken on the petitioners' representation, i.e., Annexure-19, both counsel jointly submits that no decision has been taken on Annexure-19.

6. As such, the petitioners are hereby directed to produce a copy of Annexure-19 as well as a copy of this order before the Collector cum District Magistrate Begusarai (Respondent no.3), within 30 days and the Respondent no.3



shall pass order on the petitioners' representation i.e. Annexure-19, considering in its own merit within 90 days thereafter.

7. Accordingly, with the aforesaid direction, this writ petition along with the interlocutory application(s) if any, stands disposed off. The petitioners shall be at liberty to supplement their representation.

(Dr. Anshuman, J)

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