

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1192 of 2017

1. Anil Jha @ Anil Kumar Jha and Ors S/o late Mahendra Jha Presently working as Peon, Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand Patel Marg, Patna.
2. Rajan Ram S/o late Ram Das Ram Presently working as Peon, Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand Patel Marg, Patna.
3. Ashok Kumar S/o late Sona Singh Presently working as DriverChalak, Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand Patel Marg, Patna.
4. Laxman Prasad S/o late Ram Prasad Presently working as Khalasi, Purvi Gandak Hydroelectric Project, Balmiki Nagar, West Champaran.
5. Hakim Prasad Mahto S/o Dhanraj Mahto Purvi Gandak Hydroelectric Project , Balmiki Nagar, West Champaran.
6. Moti Chand Sah S/o late Ramdahin Sah Presently Working as Driver,Chalak Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand PatelMarg, Patna.
7. Laxman Ram S/o Girja Ram Presently working as DriverChalak, Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand Patel Marg, Patna.
8. Mahesh Prasad S/o late Sakaldeep Singh Presently Working as typist- Cum-Clerk Class-iii Kataiya Hydro Power Station, Kataiya, Birpur, Supaul.
9. Arjun Kumar Singh S/o Dinanath Rai Presently working as Peon, Bihar State Hydroelectric Power Corporations Ltd, Sone Bhawan, Birchand Patel Marg, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar through Secretary, Department of Energy, Govt. of Bihar, Patna.
2. Deputy Secretary, Department of Energy , Govt. of Bihar, Patna.
3. Deputy Secretary, Department of Finance, Govt. of Bihar, Patna.
4. Bihar State Hydroelectric Power Corporation Limited, Sone Bhawan, Birchand Patel Marg, Patna, through its Managing Director.
5. Managing Director, Bihar State Hydroelectric Power Corporation Limited, Sone Bhawan, Birchand Patel Marg, Patna
6. Chairman, Bihar State Hydroelectric Power Corporation Limited, Sone Bhawan, Birchand Patel Marg, Patna
7. Director Karmik and Prasashan, Bihar State Hydroelectric Power Corporation Limited, Sone Bhawan, Birchand Patel Marg, Patna.
8. Manager Karmik and Prasashan, Bihar State Hydroelectric Power Corporation Limited, Sone Bhawan, Birchand Patel Marg, Patna.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.K.K. Sinha, Advocate
For the Respondent/s : Mr.S.P. Singh- GA3
Mr.Indeshwar Prasad, AC to GA 3

CORAM: HONOURABLE MR. JUSTICE BIBEK CHAUDHURI
ORAL ORDER

7 17-02-2026 The petitioners are fighting legal battle for last 9 years for regularization on the basis of Government of Bihar, Energy Department, Official Letter No. 3641 dated 15th of July, 2013, by virtue of which the decision taken by the Managing Committee to the effect that the employees who were appointed as ad-hoc employees prior to 3rd of September, 1998 would be considered for their observation in the department as regular employees. On the strength of such letter communicating the decision of the Managing Committee, the petitioners made representations vide an Annexure P18 and P19 on 11th of October, 2015 and 3rd of November, 2015 respectively for regularization. However, the respondents failed and neglected to dispose of the said representations till date.

2. In the meantime, many of the writ petitioners retired from services on attainment of age of superannuation.

3. Learned Advocate on behalf of the Respondent/Corporation in usual fairness and frankness submits that if Managing Committee had taken such decision that the ad-



hoc employees who joined the department prior to 3rd of September, 1998, would be regularized. The respondents ought to have considered the representations in the light of the above decision.

4. At this stage, the learned Advocate for the petitioners submits that the petitioners may be permitted to file fresh representations in the line of their previous representations because during the pendency of the writ petition, the scope of regularization of ad-hoc / contractual employees has changed substantially.

5. This Court is aware of the fact that in the case of *Secretary, State of Karnataka and Ors. vs. Umadevi and Ors* reported in (2006) 4 SCC 1, the Hon'ble Supreme Court directed all the departments to take one time measure for regularization of ad-hoc / contractual employee. The said judgement was passed by the Hon'ble Supreme Court post 2017.

6. Under such circumstances, the petitioner is given liberty to make fresh representations in the light of the representations annexed with the writ petition and relying the judgement of *Umadevi* (supra) within 3 weeks from the date of this order.



7. If such representation(s) is / are filed, the respondent authority shall dispose of the same by passing a speaking order within six weeks from the date of receipt of the representation.

8. with the above direction, the instant writ petition is disposed of.

(Bibek Chaudhuri, J)

uttam/-

U			
---	--	--	--

