
(2004) 09 PAT CK 0113
In the Patna High Court
Case No : CWJC No. 12025 of 2004

Ratan Kumar Lal	Vs	APPELLANT
State of Bihar and Others		RESPONDENT

Date of Decision : 13-09-2004

Acts Referred:

Citation : (2004) 3 BLJR 2156 : (2004) 4 PLJR 626

Hon'ble Judges : Narayan Roy, J

Bench : Single Bench

Advocate : A.K. Mallick and Rajeev Ranjan, for the Appellant; JC to GP 6, for the Respondent

Judgement

Narayan Roy, J.—Heard counsel for the parties and consider the counter affidavit filed on behalf of the respondents.

2. The petitioner seeks direction upon the respondents to regularise his services in the regular establishment in Class III post.

3. It is submitted by learned counsel for the petitioner that the petitioner is working on Class IV post since long in Work Charged Establishment, but his case has not been considered, though many juniors to him have been regularised on Class III posts.

4. A counter affidavit has been filed on behalf of the respondents, wherein precisely it is stated that since the petitioner is not matriculate his claim for regularisation on Class III post is not justified.

5. Learned counsel for the petitioner however, submits that the petitioner is already matriculate and he is having his certificate etc.

6. In the main writ application, there is no averment about the educational qualification of the petitioner.

7. Considering the facts and circumstances of the case, therefore, in my opinion,

no positive direction can be issued to the respondent authorities. However, a liberty is given to the petitioner to represent his case before the authorities concerned for his regularisation annexing therewith copies of the certificates of educational qualification and in case it is so done, the representation of the petitioner shall be considered and disposed of by respondent No. 6 in accordance with law within a period of three months from the date of filing of the same.

8. With the direction/observation aforesaid, this application is disposed of.