
(2003) 07 PAT CK 0024
In the Patna High Court
Case No : C.W.J.C. No. 3656 of 2003

Sanjiv Ranjan

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 02-07-2003

Acts Referred:

Citation : (2003) 3 PLJR 709

Hon'ble Judges : S.N. Jha, J

Bench : Single Bench

Advocate : R.S. Roy and Prashant Kashyap, for the Appellant; J.C. to S.C.III, for the Respondent

Judgement

S.N. Jha, J.—The Petitioner has been disengaged from the post of Steno-Typist. He was working on daily wage basis. The case of the Petitioner is that on 25.11.2002 he submitted application to the Deputy Collector, Incharge, Nazarat, Araria, for payment of salary. Instead, his services were terminated. It was submitted that the Petitioner was working on a sanctioned post. There are nine sanctioned posts available.

2. As the Petitioner was working on daily wage basis, he can not claim any legal right to appointment. There may be sanctioned posts available but the High Court can not direct the executive to make appointment. It is for the authorities to decide whether to make appointments and fill the posts.

3. I, in the circumstances, dispose of the writ petition with observation that as and when the Respondents propose to make regular appointment on sanctioned post (s) the Petitioner's case may be considered and due weightage of his past service may be given to him provided the same was satisfactory. He may also be allowed one time age relaxation to the extent of the period of satisfactory past service.

4. Meanwhile, the claim of the Petitioner for payment of salary for the work already done may be examined by the Collector, Araria, and if the Petitioner is

found to have worked upto February, 2002, as asserted by him, after necessary verification on the basis of relevant record, necessary order may be passed within two months of receipt of a copy of this order.

5. The writ petition is disposed of.