

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.8349 of 2015**

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Rajeev Kumar Singh, S/o Late Nand Lal Singh, Resident of Village- Mahmadpur,  
P.O. + P.S. Garkha, District Saran. .... Petitioner

Versus

1. The State of Bihar, through its Principal Secretary to Government, Public Health Engineering Department, Bisheshwariya Bhawan, Bailey Road, Patna.
  2. The Chief Engineering (Mechanical) Public Health Engineering Department, Bisheshwariya Bhawan, Bailey Road, Patna.
  3. The Secretary, Finance Department, Government of Bihar, Patna.
  4. The Superintending Engineer, Public Health Engineering Circle, Chapra at Saran.
  5. The Executive Engineer, Public health Division, Chapra. .... Respondents
- =====

**Appearance :**

For the Petitioner/s : Mr. Shashi Shekhar Tiwary, Advocate  
For the Respondent/s : Mr. V.K. SINGH- GA3

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH**

**ORAL JUDGMENT**

**Date: 22-12-2015**

Heard learned counsel for the petitioner and the respondents.

The petitioner seeks quashing of Office Order no.4, dated 08.01.2015, whereby his service has been reverted from Regular Establishment to Daily Muster Roll.

The petitioner submits that he was appointed in regular Establishment vide Memo no. 531 dated 30.04.1990 of Executive Engineer, Public Health Engineering Division, Chapra. Prior to his absorption in the regular Establishment, he was on muster roll. The petitioner while working as Khalasi, moved this Court for regularization of his service in C.W.J.C. No. 2145 of 1996, which was disposed of on 29.10.1997 with a direction to the respondents to

consider his case for regularization.

A show-cause was issued and the petitioner submitted his show-cause reply. However, the same was not found favour with the respondents, the matter was transferred before the Principal Secretary. It appears that against rejection of their claim, some of the similarly situated persons moved this Court in C.W.J.C. No. 12458 of 2012 and the operation of the impugned orders was stayed by order dated 14.09.2012.

The petitioner submits that his case is more or less substantially similar to the petitioner of C.W.J.C. No. 12458 of 2012.

Having regard to the facts and circumstances of the case, if the petitioner files a representation before the Principal Secretary to the Department, he would consider the matter afresh. It will be open for the petitioner to place all such documents, as may support his case that he worked in the regular establishment.

It is expected that the Principal Secretary would dispose of the matter within a period of three months from the date of receipt of a copy of this order.

This application stands disposed of.

**(Samarendra Pratap Singh, J.)**

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