

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5763 of 1999

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Sushanto Kumar Roy Choudhury

.... Petitioner/s

Versus

The Bihar State Const. Corpn. Ltd.

.... Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

6 24-04-2015

The petitioner challenges an office order issued vide letter No. 718 dated 13.12.1994 under the signature of the Managing Director of Bihar State Construction Corporation Ltd. whereby his adjustment as Typist in regular scale of Rs. 680-965/580-680/- (revised scale 1200-1800/-) has been cancelled.

A preliminary objection has been raised in the counter affidavit filed on behalf of the respondent- Corporation to the effect that this application under Article 226 of the Constitution of India filed nearly six years after the cause of action arose may not be entertained. It has further been stated in the counter affidavit that the impugned decision dated 13.12.1994 is based on a letter dated 03.07.1992 and similarly situated employees had approached this court by filing CWJC No. 8358/1992 (Bachchan Sahni & Ors. v. the State of Bihar & Ors.) which came to be dismissed by an order dated 21.01.1994. It has been stated that all these appointments were back door appointments which could not have been regularized.

I am of the view that the petitioner cannot maintain this writ application filed in the year 1999 against an order which was passed in the year 1994 without any plausible explanation for such

delay. I am also of the view that no relief can be granted to the petitioner, as sought for in the present application, in view of division Bench judgment of this court in case of Bachchan Sahni & Ors. v. the State of Bihar & Ors (CWJC No. 8358 of 1992) dated 21.01.1994.

This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

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