

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1444 of 2014

In

Civil Writ Jurisdiction Case No. 23735 of 2013

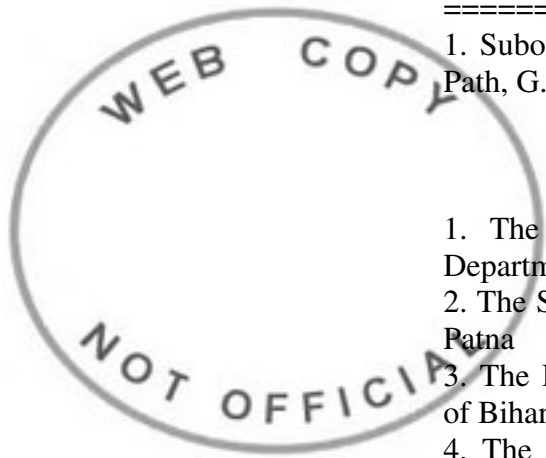
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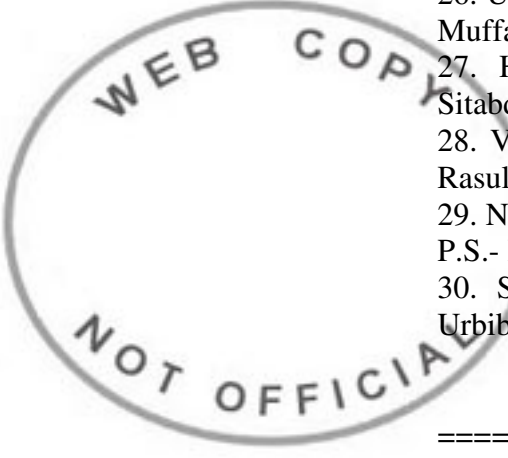
1. Subodh Kumar, son of Sri Lalan Singh, Resident of Yarpur, Shivajee Path, G.P.O., P.S. Gardanibagh, District- Patna

.... Appellant

Versus

1. The State of Bihar through the Secretary, Building Construction Department, Government of Bihar, Patna
2. The Secretary, Building Construction Department, Government of Bihar, Patna
3. The Deputy Secretary, Building Construction Department, Government of Bihar, Patna
4. The Chief Engineer, South Bihar Sub-division, Building Construction Department, Government of Bihar, Patna
5. The Superintending Engineer, South Circle, Building Construction Department, Government of Bihar, Patna
6. The Executive Officer, Garden Division, Building Construction Department, Patna
7. Md. Sakil Ansari, son of Sirajul Haque, Resident of Jakkanpur, P.S. Gardanibagh, District- Patna
8. Awadhesh Prasad Singh, Son of Late Shiv Balak Singh, R/o village- Diha, P.S.- Ariari, District- Munger
9. Gaya Prasad Yadav, son of Baldeo Prasad, R/o Village- Hemchand Bigha, P.S. Nawada, Distt. Nawada
10. Rajesh Kumar Ray, son of Girish Kumar Roy, Resident of Barari, P.S. Barari, District- Bhagalpur
11. Ranjeet Kumar, son of Ram Varan Mandal, Resident of village- Kaswa, P.S. Sambhuganj, District- Bhagalpur
12. Sadanand Mandal S/o Laxman Mandal, Resident of village- Kaillapur, P.S. Kajrauli, District- Bhagalpur
13. Jitendra Kumar Rai, son of Girish Kumar Rai, Resident of Barari, P.S. Barari, District- Bhagalpur
14. Ranjeet Kumar, son of Deonarayan Mandal, Resident of Simri, P.S. Sabour, District- Bhagalpur
15. Suresh Prasad, son of Late Shambhu Prasad, Resident of Chandwari Road, P.S.- Kankarbagh, District- Patna
16. Manoj Kumar Mandal, son of Nageshwar Mandal, Resident of Sonbarsa, Milki, P.S.- Bihpur, District- Bhagalpur
17. Sanjay Kumar Mandal, son of Nageshwar Mandal, Resident of Village- Sonbarsa Milki, P.S.- Bihpur, District- Bhagalpur
18. Ram Naresh Rai, son of Sital Rai, Resident of Dhanout, P.S.- Rupaspur, District- Patna
19. Bipin Kumar, son of Kamo Yadav, Resident of Singarpur, P.S.- Chanan Mananpur, District- Munger
20. Manish Kumar Singh, son of Late Surendra Singh, Resident of Umadha Muffasil, District- Chapra
21. Ashok Kumar Singh son of Sri Tarkeshwar Prasad Singh, Resident of Ram Krishnapuri, P.S.- Bhagwanpur, District- Chapra
22. Akhilesh Kumar Singh, son of Suryadeo Prasad Singh, Resident of Udhma, P.S.- Muffasil, District- Chapra
23. Kamal Kumar Singh, son of Deo Narayan Singh, Resident of Udhma, P.S.- Muffasil, District- Chapra



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24. Satrugan Singh, son of Shyam Narayan Singh, Resident of Nautan, P.S.- Ekam, District- Chapra
 25. Dadan Kumar Singh, son of Laxman Singh, Resident of Udhma, P.S.- Muffasil, District- Chapra
 26. Upendra Kumar Singh, son of Sudama Singh, Resident of Udhma, P.S.- Muffasil, District- Chapra
 27. Harendra Singh, son of Late Dwarika Nath Singh, Resident of Sitabdiara, P.S.- Rivilganj, District- Saran
 28. Vinoy Kumar Singh, son of Sri Kailash Singh @ Prasad Resident of Rasulpur, P.S.- Fatuha, District- Patna
 29. Nand Kishore Prasad, son of Nand Lal Rai, Resident of Balambhi Chak, P.S.- Phulwarisharif, District- Patna
 30. Sachhidanand Prasad, son of Dasrath Prasad, Resident of Kuseta Urbibhunpur, P.S.- Tikari, District- Gaya

.... Respondents

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Appearance :

For the Appellant/s : Mr. Dilip Kumar Tondon

For the Respondent No.4: Mr.P. K. Sinha, AC to GA 12

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE CHAKRADHARI
 SHARAN SINGH**

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 06-08-2015 Heard Mr. Dilip Kumar Tondon, learned counsel for the
 appellant.

In the present appeal under Clause 10 of the Letters Patent of this Court, the appellant has questioned the order, dated 29.04.2014, passed by learned single Judge, in C.W.J.C.No. 23735 of 2013, whereby the petitioner's prayer to direct regularization of his service has been rejected.

There is no dispute before us that the subject matter of this appeal is covered by the order, dated 13.01.2015, passed in L.P.A.No. 1553 of 2014, wherein this Court observed, held and directed as follows:

“It is not in dispute that the appellant, who had been

working on daily wage basis as Mali, was disengaged as far back as in the year 1985. He, thereafter, along with other persons, approached this Court, in the year 2012, by filing C.W.J.C.No. 10494 of 2012, which was disposed of, on 19.07.2012, with a direction to consider their cases for regularization. Upon rejection of his claim for regularization, by an order, dated 11.02.2013, passed by the Superintending Engineer, South Bihar Circle, Patna, the petitioner approached this Court by filing C.W.J.C. No. 13498 of 2013, which came to be dismissed by the impugned order, dated 09.05.2014, passed by the learned single Judge.

In view of undisputed fact that the appellant was disengaged in the year 1985 itself and since then, he never worked as daily wage employee, we do not find any reason to interfere with the order under appeal.

This appeal is, accordingly, dismissed.”

In view of the decision reached in L.P.A.No. 1553 of 2014, this appeal, too, is hereby dismissed.

(I.A. Ansari, ACJ)

(Chakradhari Sharan Singh, J)

A.I./-

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