

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 46 of 2014

IN

Civil Writ Jurisdiction Case No. 4300 of 2013

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Abdul Haque Mukari, Son of Late Dost Mohammad, resident of Mohalla-Kila
Mohalla, Police Station-Sasaram, District-Rohtas.

.... Petitioner/Appellant

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Government of Bihar,
Patna.
3. The Superintendent of Engineer, Road Construction Department, Bhojpur Road
Circle, Arrah.
4. Assistant Director, Quality Control, Additional Sub-Division, Sasaram.
5. Executive Engineer, Road Construction Division, Dehri-On-Sone, Rohtas.
6. Assistant Engineer Quality Control Office, Sasaram, Rohtas.

.... Respondents/Respondents

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Appearance :

For the Appellant : Mr. Jitendra Prasad Singh, Advocate

For the Respondents/Opposite Parties : Mr. Gautam Bose, Sr. Advocate

: Ms. Sanghamitra Ghosh, Advocate

: Mr. Vikash Jha, Advocate

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CORAM: HONOURABLE ACTING CHIEF JUSTICE

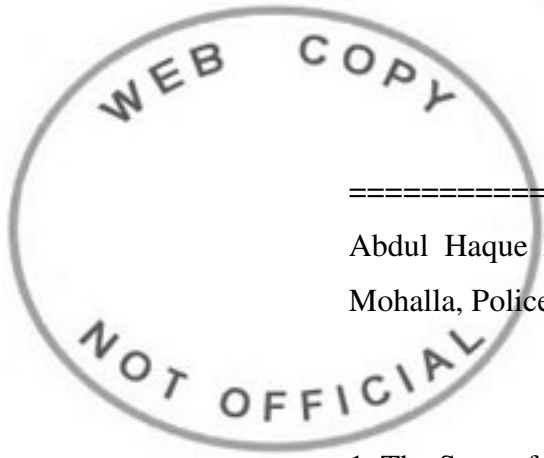
And

**HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH)**

Date: 10-08-2015





This appeal has been preferred under Clause - 10 of the Letter Patent of this High Court by the appellant, aggrieved by an order, dated 14/03/2013, passed by learned Single Judge, in C.W.J.C. No. 4300 of 2013, whereby the appellant's writ petition, seeking quashing of an order rejecting his claim for regularization on the post of Chawkidar, came to be dismissed.

2. From the order passed by learned Single Judge, it appears that no document was produced in support of the appellant's claim of his engagement as Chawkidar. Learned Single Judge had perused the order under challenge before him, which contained the grounds for rejection of the appellant's claim for his regularization.

3. Learned counsel, appearing on behalf of the appellant, has not been able to satisfy us that the appellant was duly engaged on daily wage basis.

4. We do not find any reason to take a different view than what has been taken by the learned Single Judge in the order under appeal, dated 14/03/2013, passed in C.W.J.C. No. 4300 of 2013.

5. This appeal is, accordingly, dismissed.

6. It goes without saying that the appellant will be entitled for the admitted amount of remuneration for the period during which he had actually worked, which has been indicated in the order under appeal also.

(I. A. Ansari, ACJ.)

(Chakradhari Sharan Singh, J.)

Praveen-II/-

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