

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.673 of 2015

In
Civil Writ Jurisdiction Case No. 8560 of 1995

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Gopal Narayan Lal Son of Late Rajendra Prasad Lal Resident of Village-
Dhangua, P.S.-Barki, Kharari, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through Secretary Water Resources Department of Bihar, Patna.
2. The Secretary, Water Resources Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Water Resources Department, Govt. of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Dehri.
5. The Superintending Engineer, Sone Canal Modernization Circle, Dehri on Sone.
6. The Executive Engineer, Sone Canal Modernization Division, Sasaram.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Mishra

For the Respondent/s : Mr. Nirbhay K.Singh

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 02-09-2015

Heard learned counsel for the parties.

This Court does not find any reason to modify its earlier order, inasmuch as, it has already found that the appointment of the petitioner was in teeth of Article 14 & 16 of the Constitution of India. Such an illegal appointment of the petitioner could not have conferred him the benefit of regularization particularly when it is an admitted fact that the appointment of the petitioner on the post of Daftari was made without following the prescribed procedure of Advertisement in

newspaper and followed by selection. Such rank illegal appointment has been held to be wholly incapable of being regularized in the Full Bench of this Court in the case of *Ram Sevak Yadav & Anr. Vs. The State of Bihar & Anr.* reported in 2013(1)PLJR 964.

Therefore, this application again must fail and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

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