

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No. 8621 of 2014

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Suresh Mishra Son of Sri Baleshwar Mishra Resident of Village Makroi, P .O-
Maheshpur, P.S- Pipra Bazar, District Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner- Cum- Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Director, Land Acquisition and Rehabilitation, Bihar, Patna.
3. The Special Land Acquisition Officer, Flood Control Project, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Anuj Kumar
AC to GP-24

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 21-09-2016

Heard learned counsel for the petitioner and counsel
for the State.

Repeated efforts made by the petitioner have not
helped him achieve the object of becoming a government servant as
part of regular establishment. He had moved the High Court earlier
for regularization of his service on the basis of the fact that he was
engaged as a Chain Man by the Special Land Acquisition Officer,
Flood Control Project, Patna on 08.05.1985. He worked in that
capacity till 2002 and then thereafter the legal battle began for
regularization.

No doubt, in the earlier round of litigation, a direction
was issued upon the respondents to consider his claim for

regularization, keeping in mind that some similarly situated persons have also derived the benefit, but the concerned authority after consideration of the factual aspect of the matter has passed a speaking order, contained in Annexure-10, dated 18.03.2010, rejecting his claim by taking into consideration the background and the manner in which the petitioner was engaged. It smacks of certain wrong doing by the authority concerned and such engagement also led to institution of a vigilance case against the Special Land Acquisition Officer, because it seems that he had made a large number of such engagements without the authority of law and approval from any quarter.

In the controversial circumstances, as above, coupled with the fact that there is no correlation between the respondents and the petitioner after the year 2002, there cannot be any direction for his regularization by interfering with Annexure-10. The reasons provided in the impugned order are cogent and valid grounds which does not require interference.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	22.09.2016
Transmission Date	