

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1036 of 2013

IN

Civil Writ Jurisdiction Case No. 3237 of 2013

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1. Baijnath Singh, Son Of Sri Jiut Singh, Resident Of Village And P.O. Jamuao, P.S. Piro, District- Bhojpur
 2. Baban Prasad Singh, Son Of Sri Aatma Singh, Resident Of Village Bahuara, P.O. Bahuara, P.S. Godari, District- Rohtas
 3. Tribhuwan Singh, Son Of Late Yugal Ray, Resident Of Village And P.O. Tarar, P.S. Nokha District- Bhojpur
 4. Vijay Ray, Son Of Late Kalpnath Ray, Resident Of Village Nonar, P.O. Nohar, P.S. Pero, District Bhojpur
 5. Yogendra Kumar, Son Of Late Satya Narayan Singh, Resident Of Village Mohan Tola, P.O. Dev Chanda, P.S.- Piro, District- Bhojpur
 6. Baijnath Singh No. 1, Son Of Late Dalkeshwar Singh, Resident Of Village Sedha, P.O. Sedha, P.S. Sarahrri, District- Bhojpur
 7. Gobardhan Singh, Son Of Late Laldas Singh, Resident Of Village And P.O. Mani, P.S. Vikramganj, District Rohtas
 8. Mathura Singh, Son Of Late Ramanand Singh, Resident Of Village Belbai, P.O. Belbai, P.S. Karakat, District Rohtas
 9. Chaturgun Singh, Son Of Late Ram Kishun Singh Yadav, Resident Of Village Suhiya, P.O. Suhiya, P.S. Sahrpur, District- Bhojpur
 10. Vijay Kumar Singh, Son Of Late Keshaw Prasad Singh, Resident Of Village Ramnagar, P.O. Dalipur, P.S. Jagdihspur, District- Bhojpur
 11. Ranjeet Pratap Singh, Son Of Bharat Bhushan Singh, Resident Of Village And P.O. Koilwar, P.S. Koilwar, District- Bhojpur
 12. Siya Ram Singh, Son Of Anant Singh, Resident Of Village Babudhar, P.O. Babu Bazar, P.S. Nawada, District- Bhojpur

.... Appellant/s

Versus

1. The State of Bihar
2. The Chief Engineer, Irrigation Department, Dehri-On-Sone P.O. and P.S. Dehri, District- Rohtas
3. The Principal Secretary, Water Resources Development Department, Govt. Of Bihar, Patna
4. The Joint Secretary, Water Resources Development Department, Govt. Of Bihar, Patna
5. The Chief Engineer, Irrigation Department, Dehri-On-Sone P.O.+P.S.+District- Rohtas
6. The Superintending Engineer, Sone Canal Anchal, Ara, P.O.+P.S.+District Ara
7. The Executive Engineer, Sone Canal Division, Ara, P.O.+P.S.+District Ara
8. The Executive Engineer, Irrigation Department, Bhabhua, P.O.+P.S.+District- Bhabhua

.... Respondent/s

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Appearance :

For the Appellants : Mr. Bipin Bihari Singh, Advocate
Mr. Shyama Kant Singh, Advocate
For the State : Mr. Sanat Kr. Mishra, AC to AAG-8

Mr. Rohit Mishra, AC to AAG-8

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)
Date: 14-07-2016

This intra-court appeal arises from the judgment and order dated 20.02.2013 passed in C.W.J.C. No. 3237 of 2013 (Bajinath Singh and others Vs. The State of Bihar and others) by which the writ petition claiming regularization of service was dismissed.

We have heard learned counsel for the appellants and learned counsel for the State as also perused the records.

The appellants on their own showing were seasonal workers, whose services were utilized as Amin as and when necessity demanded. They had sought regularization pursuant to Government resolution dated 10.05.2005. The learned Single Judge has exhaustively dealt with that issue with reference to the circular. We have perused the same. We have no reason to take a different view of the matter. The circular does not speak about regularization of persons like the seasonal Amins, who, by nature of their duty, are not even working on daily wages regularly and talks of daily wagers who have been working in the past for more

than 240 days per year for considerable length of time.

In view of the aforesaid, we are not inclined to interfere in the matter. The appeal is, accordingly, dismissed.

(Navaniti Prasad Singh, J.)

(Nilu Agrawal, J.)

Arjun/Rajesh

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