

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7761 of 2014

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1. Krishna Kumar Pandey Son of Late Mangla Nand Pandey Resident of Village and P.O- Jamuhar, P.S- Dihri, District- Rohtas, Bihar.
 2. Vijay Kumar Son of Shri Arjun singh Resident of Mohalla- Suba Bigaha, P.O- Jamuhar, P.S- Dehri, District- Rohtas.
 3. Deepak Kumar son of Shri Sudarshan Prasad Resident of Mohalla- Karserua, P.O- Darigaon, P.S- Sasaram, District- Rohtas.
 4. Rajiv Ranjan Kumar son of Shri Chandeshwar Ram Resident of Mohalla- Amarthia, P.O- Gachhai, P.S- Karakat, (Gorari), District- Rohtas
 5. Vikash Kumar Gupta @ Vikki Kumar Gupta Son of Shri Sobhnath Sah Resident of Mohalla- Agibi, P.O- Sikariya, P.S- Darigaon, District- Rohtas.
 6. Dharmendra Kumar son of Shri Sudarshan Singh Resident of Village- Garuara, P.O- Belwana, P.S- Agarar, District- Rohtas.
 7. Sanjay Kumar Son of Shri Krishna Singh Resident of Mohalla- Baijla, P .O- Makar, P.S- Sasaram, District- Rohtas
 8. Sandeep Kumar Son of Shri Ram Parvesh Sah Resident of Village and P.O and P.S- Sanjhauli, District- Rohtas.
 9. Ayodhya Sah @ Ram Ayodhya Sah Son of Shri Sita Sah Resident of Mohalla- P.O+ P.S- Natwar, Distt- Rohtas.
 10. Dhrup Pandey Son of Late Suresh Pandey Resident of village- Kharoj, P.O+ P.S-Surjpura, Distt- Rohtas.
 11. Binod Kumar son of Shri Birendra Singh Resident of Village+ P .O+ P .S- Adhaura, Distt- Kaimur.
 12. Riyazuddin Kuraishi @ Mohd. Riyazuddin Kureshi Son of Shri Hafiz Mian Resident of vill+ P.O+ P.S- Nuaon, Distt- Kaimur.
 13. Chandramani Kumar Singh Son of Late Rajeshwar Singh Resident of Village- Bharigaonwa, P .O- Bare, P.S- Bhabhua, Distt- Kaimur.
 14. Sipahi Chauhan son of Shri Shivnath Chauhan Resident of village+ P.O- Sarenja, P.S- Rajpur, District- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Principle Secretary Public Health Engineering Department, Patna.
2. The Engineer in- Chief- cum- Special Secretary, Public Health Engineering Department, Patna.
3. The Superintending Engineer, Public Health Engineering Department, Circle, Patna.
4. The Executive Engineer, Public Health Engineering Department, Sasaram, Distt- Rohtas.
5. The Executive Engineer, Public Health Engineering Department, Bhabhua, Distt- Kaimur.
6. The Executive Engineer, Public Health Engineering Department, Distt- Buxar.
7. The Junior Engineer, Public Health Engineering Department, Buxar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Nil Kamal

For the Respondent/s : Mr. YOGENDRA PD. SINHA

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 10-05-2016

It is a take it or leave it for these petitioners looking at the manner of their engagement or hiring as well as the recent period since when the work has been taken from them. Their status is not even that of a daily wager or a work charge employee where Mandamus is required to be issued for their continued employment, contrary to the decision of the State Government dated 08.07.2014 which is under challenge.

Let the petitioners take a decision whether they are willing to engage themselves in terms of the policy or in terms of annexure-7 or look for alternative engagement but this Court cannot issue mandamus in the facts of this case for their continuous engagement.

This writ application is dismissed.

(Ajay Kumar Tripathi, J)

Amin/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	11.05.2016
Transmission Date	