

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3495 of 2013

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1. Arun Kumar Akela S/O Late Niranjana Singh Resident Of Village And Post - Vaishali, P.S. - Vaishali, District - Vaishali
 2. Vishawnath Singh S/O Sri Devilal Singh Resident Of Village - Bhujia Pakari, Post - Patera Jairam, P.S. - Vaishali, District - Vaishali
 3. Deweshwar Tiwari S/O Late Hare Krishna Tiwari Resident Of Village - Haujapura, P.S. - Vaishali, District - Vaishali
 4. Brajandan Kumar S/O Late Gaya Singh Resident Of Village - Haharo, Post - Madarauna, P.S. - Vaishali, District - Vaishali
 5. Arun Kumar Ojha S/O Late Shiv Kumar Ojha Resident Of Village - Jaraugi, P.O. - Jarang Rampur, P.S. - Pateri Belsar, District - Vaishali
 6. Ramlal Singh S/O Sri Ram Pratap Singh Resident Of Village - Jhitkahiya, P.O. - Haujapura, P.S. - Vaishali, District - Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Chief Secretary, Government Of Bihar, Patna
3. The Secretary, Department Of Personnel And Administrative Reforms, Government Of Bihar, Patna
4. The Secretary, Department Of Agriculture, Government Of Bihar, Patna
5. The Secretary, Department Of Minor Irrigation, Government Of Bihar, Patna
6. The Production Director, Bihar Education Programme Parisar, Government Of Bihar, Patna
7. The Chief Engineer, Minor Irrigation Department, Muzaffarpur
8. The Superintending Engineer, Minor Irrigation Circle, Muzaffarpur
9. The Executive Engineer, Minor Irrigation Division, Hazipur
10. The Assistant Engineer, Minor Irrigation Sub-Division, Hazipur
11. The Junior Engineer, Minor Irrigation Sub-Division, Hazipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Yadav

For the Respondent/s : Mr. Rajiv Kumar, A.C. to G.A.5

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 08-01-2016 Heard learned counsel for the petitioner and learned counsel for the State.

In the present case, the petitioners are seeking relief for regularization of their services.



As it appears that the petitioners have approached this Court on earlier occasion for their regularization of services. The case of the petitioners and others were disposed of vide order dated 15th March, 2007 passed in L.P.A. No.694 of 2006 and analogous cases with a direction to constitute a 3-man Committee to examine the case of each of the petitioners and if it is found that the persons were appointed against the sanctioned vacant posts, after due process, their services will be regularized, placing reliance on the judgment of the Apex Court in the ***Secretary, State of Karnataka and Others Vs. Uma Devi 3, reported in (2006) 4 SCC, page 1.***

In terms of the aforesaid direction of L.P.A., 3-man Committee was constituted in which the case of the petitioners was examined but the petitioners could not produce any appointment letter and the 3-man Committee found appointments of the petitioners to be illegal and not appointed against the vacant posts, appointments were made in illegal manner without following the procedure. In such view of the matter, the Committee did not recommend the petitioners for regularization in service.

This Court does not find any illegality in the impugned order. Accordingly, this writ petition is dismissed. It

goes without saying that if the petitioners had worked for certain period, the respondent will examine the case of the petitioners and pass the order in accordance with law.

(Shivaji Pandey, J)

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