

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12616 of 2013

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1. Bashmati Devi Wife Of Shri Shankar Ram Resident Of Village - Amour, P.S. Amour, District - Chapra
 2. Madheshwar Ram Son Of Shri Ramu Ram Resident Of Village - Jamalpur, P.S. Bikram, District - Patna
 3. Baijnath Prasad Gupta Son Of Late Ram Prasad Lal Resident Of Village - Durkhi - Gali, P.S. Pirbahore, District - Patna
 4. Rajaram Das Son Of Late Moti Mochi Resident Of Village - Pakurbigha, P.S. Ghoshi, District - Jehanabad
 5. Krishnadeo Mandal Son Of Shri Fudi Mandal Resident Of Village - Tariyanichapra, P.S. Tariyani Chowk, District - Sheohar
 6. Prem Nath Paswan @ Prem Paswan Son Of Late Chandradeep Paswan Resident Of Village - Kapsara, P.S. Patepur, District - Vaishali
 7. Suresh Mochi Son Of Mahabir Mochi Resident Of Village - Doman Bigha (Ubair), P.S. Ghoshi, District - Gaya

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Public Health Engineering Department, Government Of Bihar, Patna
2. The Engineer - In - Chief - Cum - Special Secretary, Public Health Engineering Department, Government Of Bihar, Patna
3. The Chief Engineer, Public Health Engineering Department , Government Of Bihar, Patna
4. The Superintending Engineer, Public Health Engineering Circle, Patna West, Patna
5. The Executive Engineer, Public Health Engineering Division, Patna West, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Nath Dubey, Adv.

For the State : Mr. Umesh Narayan Dubey, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 29-09-2016

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

Admittedly, the petitioners are working as a daily wagers. Earlier they had approached this Court in C.W.J.C. No. 613

of 1997 and the same was disposed of with a direction for appointment on permanent basis after following the due process of law and the post should not be filled up on the daily wages or ad-hoc basis.

As per claim of the petitioners, they are still working on daily wage. In view of the order passed by this Court, selection was to be made after following the due process of law. As per the claim of the petitioners, the respondents have not done so rather, through backdoor method, they have appointed certain persons. Learned counsel for the petitioners has placed reliance on the order dated 223 dated 24.3.2008 (Annexure-7).

This Court cannot issue mandamus, if any fresh selection is made, the petitioners will have a liberty to compete for the same and the authority concerned will consider their case in accordance with law.

With the aforementioned observation, this application is disposed of.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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