

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.207 of 2016

IN

Civil Writ Jurisdiction Case No. 16670 of 2015

- =====
1. Balmiki Singh, Survey Khalasi S/o Late Sukhdeo Singh Resident of village - Nagardih, p.s. - Kadirganj, District - Nawada.
 2. Satyendra Kumar 'Peon', Rural Works Department, Works Division Rajauli District - Nawada son of Sri Brahmdeo Ram R/o village - Nayabagi, p.o. - Hisua, p.s. - Hisua, Distt. - Nawada.

.... Appellants

Versus

1. The State of Bihar through Chief Engineer - II, Rural Works Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Superintending Engineer, Rural Works Department, Government of Bihar, Rural Works Circle, Gaya, District - Gaya near office of Prabhat Khabar, Gaya.
3. The Executive Engineer, Rural Works Department, Rural Works Division, Rajauli, Distt. - Nawada.

.... Respondents

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Appearance :

For the Appellant/s : Dr. Anjani Pd. Singh
For the Respondent/s : Mr. Abbas Haider- Sc16

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 15-07-2016

Heard Mr. Dr. Anjani Pd. Singh, learned Counsel for the appellants, and Mr. Abbas Haider, learned SC 16, appearing for the respondents.

Aggrieved by the order, dated 18.12.2015 (Annexure-2 to the writ petition), the appellants put the same under challenge by way of writ application, under Article 226 of the Constitution of India, giving rise to C.W.J.C.No. 16670 of 2015.

By the order, dated 18.12.2015, as the writ petition has been

dismissed by a learned single Judge of this Court, the writ petitioners are in appeal before this Court.

On a query made by this Court, it is submitted by Dr. Anjani Prasad Singh, learned Counsel for the appellants, that appellant No.1 was engaged as survey khalasi on 16.03.1973 and appellant No.2 was engaged as work charge employee on 22.06.1973 meaning thereby that on the day of joining, they were at least 18 years old. If the appellants were 18 years old on 16.03.1973 and 22.06.1973 respectively, they have rightly been superannuated with effect from 31.03.2015 and 30.06.2015 respectively, on attaining the age of 60 years and/or rendering 42 years of service.

We do not find that the reason assigned by the learned single Judge, dismissing the writ petition, suffers from any infirmity, legal or factual.

This appeal is, therefore, not admitted and is accordingly, dismissed.

(I. A. Ansari, ACJ)

(Anjana Mishra, J)

A.I./-

AFR/NAFR	NAFR
CAV DATE	NA
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