

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1008 of 2015

IN

Civil Writ Jurisdiction Case No. 6126 of 2014

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Mohan Prasad Ram, son of Late Anant Lal Ram, resident of Sinha, resident of
Sadan H/O Sri Mukteshwar Prasad Road No. 01, New Yarpur, Gardanibagh, Patna.

.... Appellant

Versus

1. The Secretary, Building Construction Department Govt. of Bihar
Vishwaswsariya Bhawan Patna.
2. The Special Secretary, Building Construction Department, Govt. of Bihar,
Vishwaswsariya Bhawan, Patna.
3. The Deputy Secretary, Building Construction Department, Govt. of Bihar,
Vishwaswsariya Bhawan, Patna.
4. The Chief Engineer (South) Building Construction Department, Govt. of Bihar,
Vishwaswsariya Bhawan.
5. The Superintending Engineer, Building Construction Department, South Bihar
circle, Govt. of Bihar, Punaichak, Patna.
6. The Executive Engineer, Building Construction Department, Govt. of Bihar,
Building Division, Patna.

.... Respondents

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Appearance :

For the Appellant : Mr. Pancham Lal Jaiswal, Advocate
Mr. Raju Kumar Goshwami, Advocate
For the Respondents : Mr. Kumar Pankaj, A.C. to S.C.21

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

JUDGMENT & ORDER

ORAL

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 01-02-2016

By virtue of the order, dated 07.12.1981, passed by the

Superintending Engineer, Building Construction Department, South



Bihar Circle, Patna, the appellant herein, having been appointed as Caretaker on *ad hoc* basis in the work charged establishment, and he continued to hold the post, on ad hoc basis, until 31.07.2010, when he retired on superannuation. Four years after his superannuation, i.e., 26.03.2014, the appellant herein filed a writ petition, under Article 226 of the Constitution of India, giving rise to CWJC No.6126 of 2014, whereby the appellant sought for a direction to regularise his services as a permanent employee of the establishment.

By order, dated 27.11.2014, a learned single Judge of this Court has dismissed the writ petition on the ground that since the writ petitioner-appellant superannuated on 31.07.2010, his claim for regularization/absorption cannot be, now, allowed. Hence, this appeal.

Heard Mr. Pancham Lal Jaiswal, learned Counsel appearing on behalf of the appellant, and Mr. Kumar Pankaj, learned Assistant Counsel to Standing Counsel No.21, appearing on behalf of the State- respondents.

We find no infirmity, legal or factual, in the order, dated 27.11.2014, under appeal.

This appeal is, therefore, not admitted, and, accordingly, dismissed. There shall be no order as to costs.

Before parting with this appeal, we make it clear that if there is any due of the petitioner-appellant pending, the same shall be made available to him within a period of three months from today.

(I. A. Ansari, ACJ)

(Samarendra Pratap Singh, J)

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