

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 17471 of 2008

1. Kamal Deo Paswan son of Sri Kapil Deo Ram, Resident of village – Tarbangala, P.O. Dehir-on-Sone, P.S. Dehri-on-Sone, District – Rohtas.
2. Vinod Kumar Singh, son of Late Hira Prasad Singh @ Hira Singh, Resident of village – Sanath Bigha, P.O. Dalmia Nagar, P.S. Dehri-on-Sone, District – Rohtas.
3. Sunil Kumar, son of Late Ramji Singh, Resident of Mohalla – Biran Bigha, Pali Road, Dehri-on-Sone, P.S. – Dehri-on-Sone, District – Rohtas.

.... Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Road Construction Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Secretary, Road Construction Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
4. The Engineer-in-Chief-cum-Additional Secretary, Road Construction Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
5. The Chief Engineer (Mechanical), Road Construction Department, Government of Bihar, Bishweshwaraiya Bhawan, Bailey Road, Patna.
6. The Superintending Engineer, National Highway (Technical) Division, Dehri-on-Sone, Rohtas.
7. The Executive Engineer, National Highway (Technical) Division, Dehri-on-Sone, Rohtas.

.... Respondents

Appearance :

For the Petitioner/s : Mr. S.B.K.Mangalam
Mr. Ravi Ranjan

For the Respondent/s : Mr. P.K.Verma, A.A.G.3
Ms. Divya Verma, A.C. to A.A.G.-3

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 21-03-2017 Heard Sri Ravi Ranjan, learned counsel, who has appeared as per instruction of Sri S.B.K.Mangalam, learned counsel for petitioners and learned A.C. to Addl. Advocate General – 3.

Three petitioners have approached this Court invoking its writ jurisdiction under Article 226 of the Constitution



of India, with a prayer to direct the respondents to regularize their services with effect from 1997.

It has not been disputed by learned counsel for petitioners that since 1998, the petitioners were prevented from functioning, whereas, in the counter affidavit, which has been filed on behalf of respondent/State, it has categorically been stated that since appointment of petitioners & other similarly situated persons were made illegally, initially direction was given to institute a criminal case and thereafter, all such appointments were cancelled, which were done without any advertisement or without the post being sanctioned.

Keeping in view the fact that since all such illegal appointments were already cancelled in the year 1998 itself, there is no reason to further examine the matter.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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