

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1363 of 2013

In
Civil Writ Jurisdiction Case No. 13673 of 2012

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1. State Of Bihar
 2. The Secretary, Public Works Department, Building Construction Department, Bishwasaraiya Bhawan, Patna
 3. The Chief Engineer, Dakshni Upbhag, Building Construction Department, Bihar, Patna
 4. The Superintending Engineer, P.W.D. Building Circle, Patna
 5. The Executive Engineer, P.W.D. Building Division, Gaya
 6. The Sub-Divisional Officer, P.W.D. Building Sub-Division

... Appellant/s

Versus

1. Mangal Pandey Son Of Late Saryug Pandey Resident Of Village- Lohan, P.O. Ariyari, P.S. Ariyari, District- Sheikhpura (Munger)

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Alok Kumar Rahi

For the Respondent/s : Mr. Anil Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

3 17-02-2017 A similar LPA, which was LPA No.1324 of 2013, arising out of identical background, has been disposed of on 15.2.2017. The facts of the present appeal seem to be more or less identical to the CWJC No.12521 of 2011.

In view of the above, the limitation petition, which is I.A. No.7715 of 2013, is allowed. Delay of 309 days is condoned.

Matter is taken up on the merits and the Court observes that since the State Government itself had extended the cut-off



date for engagement of daily wagers to 11.12.1990, any insistence by any authority keeping 21.10.1984 as the referable date or the last cut-off date is unacceptable in law.

The appeal, therefore, is dismissed as no interference is warranted with the order dated 21.09.2012 passed in CWJC No.13673 of 2012, which is subject matter of challenge in the present appeal.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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