

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1351 of 2013

In

Civil Writ Jurisdiction Case No. 12272 of 2011

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1. The State of Bihar.
 2. The Principal Secretary, Rural Development Department, Government of Bihar, Patna.
 3. The Chief Engineer, Rural Engineering Organization, Bihar, Patna.
 4. The Superintending Engineer, Rural Engineering Organization, Work Circle, Muzaffarpur.
 5. The Executive Engineer, Rural Engineering Organization, Work Division, Muzaffarpur.

.... Appellant/s

Versus

1. Md. Mukhtar, son of Md. Usman, Resident of Village- Mornisf, PO- Kerma, P.S.- Maniyari, District- Muzaffarpur.
2. Ram Das Rai, son of Sri Baijnath Rai, Resident of Village- Aarijpur, PO- Rajla, P.S.- Kurhani, District- Muzaffarpur.
3. Mohan Singh, son of Newa Lal Singh, Resident of Village- Muzaffara Kamtaul, P.S.- Kurhani, District- Muzaffarpur.
4. Md. Jafar, son of Md. Yakun, Resident of Village- Bara Sumera, Maulachak, PO- Sumera, PS- Kurhani, District- Muzaffarpur.
5. Bindeshwar Mahto, son of Kuldip Mahto, Resident of Village- Bakuchi, P.S.- Katra, District- Muzaffarpur.
6. Upendra Thakur, son of Ram Lakhan Thakur, Resident of Village- Nawalpir Mishraulia, PO- Jagdishpur Bagh Nagari, P.S.- Sakra, District- Muzaffarpur.
7. Mohan Thakur, son of Wakil Thakur, Resident of Village- Jajuar, P.S.- Katra, District- Muzaffarpur.
8. Ram Briksha Rai, son of Mahendra Rai, Resident of Village- Lakhanpur Tal, P.S.- Desari, District- Vaishali.
9. Sudhir Kumar Srivastava, son of Sri Ram Bahadur Prasad, resident of Village- Kermadih, P.S.- Maniyari, District- Muzaffarpur.
10. Indrajeet Singh, son of Late Ramchandra Singh, Resident of Village- Muzaffara Kamtaul, P.S.- Kurhani, District- Muzaffarpur.
11. Manoj Kumar Chaudhary, son of Sri Narayan Chaudhary, Resident of Village and PO- Sherpur, P.S.- Dalsingsarai, District- Samastipur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhinay Raj
For the Respondent/s : Mr.

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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.7697 of 2013, is allowed. Delay of 296 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 16.10.2012 passed in CWJC No.12272 of 2012, which is subject matter of challenge in the present appeal.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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