

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.582 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 6970 of 2014**

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Jinish Lal Rai, S/o Late Ram Nandan Rai, Resident of village - Indra-Bara
(Jitwarpur), Police Station - Tajpur, District - Samastipur.

.... Appellant

Versus

1. The State of Bihar (through the Secretary, Building Construction Department)
New Secretariat, Bihar, Patna.
2. The Chief Engineer, Building Construction Department, Bihar, Patna.
3. The Superintending Engineer, Building Construction Department (Building
Construction Division) Darbhanga.
4. The Executive Engineer, Building Construction Department (Building Division),
Begusarai.

.... Respondents

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Appearance:

For the Appellant/s : Ms. Sudha Ambastha, Advocate.

For the Respondent/s : Mr. Rishi Raj Sinha, SC 19 and
Mr. Akhilesh Kumar Sinha, AC to SC 19.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 18-07-2017

Heard learned counsel for the appellant and the State.

We have perused the order dated 08.01.2015.

Learned Single Judge has dismissed the Writ
Application refusing to interfere with the speaking order dated
22.11.2012 which was passed by the Superintending Engineer
refusing the case for regularization of the appellant for the reasons
provided therein and the learned Single Judge did not find any



infirmity for such rejection.

Coupled with that it has also been taken note of that the appellant had already superannuated. Since this fact is correct that the work-charge employee retired on 15.02.2012 itself, no direction or decision can be taken for a person, who had already reached the age of 60 years. The question of regularization of such category of employee does not arise now.

The decision of the learned Single Judge to that extent does not require any interference.

The appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

AFR/NAFR	NAFR
CAV DATE	N/A
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