

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1555 of 2013

IN

Civil Writ Jurisdiction Case No. 11281 of 2007

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1. The State Of Bihar
2. The Secretary, Irrigation Department, Old Secretariat, Patna
3. The Under Secretary, Irrigation Department, Old Secretariat, Patna
4. The Chief Engineer, Central Designing, Irrigation Department, Anisabad, Patna
5. The Superintending Engineer, Dam And Gate Designing And Monitoring Division, Anishabad, Patna
6. The Executive Engineer, Dam and Gate Designing Division, Irrigation Department, Anishabad, Patna

.... Appellants

Versus

Ragho Sharma S/O Late Chandradeep Sharma Resident Of Village- Babhanlai,
P.O.- Lai, P.S.- Bihta, District- Patna, Present Address, Vill.- Mankurah, P.O.-
Kharipura, P.S.- Paliganj, District- Patna

.... Respondent

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Appearance :

For the Appellant/s : Mr. UJJWAL KUMAR SINHA

For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-03-2017

There is extraordinary delay of 312 days in filing the appeal for which a condonation application, namely, I.A. No. 8564 of 2013 has been filed. Even if the Court is inclined to condone the delay, on perusal of the order dated 05.10.2012 passed in C.W.J.C. No. 11281 of 2007, the Court does not find any infirmity with the direction and decision of the learned single Judge for the reason that it is the State authorities who themselves have now decided to count the period of work done as a work charged employee for grant of



benefit of ACP.

The learned single Judge has done the same thing by giving a direction that the initial period of engagement on work charged establishment from 01.05.1968 shall be counted for the purposes of such calculation.

There cannot be two yardsticks with regard to the same kind of relief. Therefore, the Court is not inclined to interfere with the direction of the learned single Judge even on merit.

In view of the above, both the limitation petition as well as the appeal is dismissed being devoid of merit.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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