

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.206 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 5576 of 2014**

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1. Maya Ram Das, son of Sri Ram Sarup Das, resident of Sinchai Awas, IB, Bailey, Road, P.S. Shastri Nagar, Town and District Patna.
2. Mahendra Kumar, son of Late Lakhan Ram, resident of Mohalla- Gardanibagh Purvi Domahala, P.S. Gardanibagh, Town and District Patna.

.... Petitioners - Appellants

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Under Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Additional Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Special Secretary, Water Resources Department, Government of Bihar, Patna.

.... Respondents - Respondents

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Appearance:

For the Appellant/s : Mr. Abhinay Raj, Advocate.

For the Respondent/s : Mr. Avinash Kumar, SC 30.

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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: 20-06-2017

Heard counsel for the appellants and counsel for the State.

The appeal is directed against the order dated 05.11.2014 which is an order passed by the learned Single Judge dismissing the Writ Application and refusing to give any direction upon the respondents to consider their case for regularization. Admitted



position is that since 1998 the appellants have not been engaged or they had worked as daily wager after their initial engagement sometime in the year 1989 and 1990.

If a person has not continued in the capacity as a daily wager for almost two decades now, there cannot be a case for giving a direction for regularization or re-engagement or re-employment keeping in mind that there is no lis or relationship between the respondents and the present appellants after the year 1998.

The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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