

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.95 of 2015

IN

Civil Writ Jurisdiction Case No. 21149 of 2011

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Suresh Sharma, son of Shri Bhagwat Sharma, resident of village Makhadumpur,
Post Office Ghogharpur, Police Station Kanch District Gaya.

.... Petitioner

Versus

1. The State of Bihar
2. Mrs. Anshuli Arya, the Principal Secretary to Government in the Department of
Public Health Engineering Department, Government of Bihar, Bisheshwaraiya
Bhavan, Bailey Road, Patna.

.... Respondents

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Appearance:

For the Petitioner/s : Mr. Lalan Kumar Singh

For the Respondent/s : Mr. SC-22 K.B.SINGH

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 20-01-2017

Heard learned counsel for the petitioner and learned
counsel for the State.

2. This Court vide order dated 18.02.2014 passed in
C.W.J.C. No.21149 of 2011 disposed of the said writ application
with a direction to look into the grievance of the petitioner in the
light of observations made in the order. It will be proper to quote
relevant paragraphs of the aforesaid order, which read as under:-

*“Besides, in the light of his stand that other persons,
namely, Krishnanadan Prasad, Nikhilanand Dwivedi,*



Md Rafiquiddin and Syed Shan Nain Ali Hasmi, whose cases were also rejected along with his case earlier, vide Annexure-D, have now been regularized, the case of this petitioner appears to be fit to be reconsidered.

This writ application is, accordingly, allowed. The impugned order of the Principal Secretary as contained in Annexure-8, so far as it relates to the petitioner, is quashed. The case of petitioner is directed to be considered afresh by the concerned respondents in accordance with law and in the light of the observations and directions contained herein.”

3. In the light of the aforesaid direction of this Court, the case of the petitioner for regularization was considered by the authority and rejected the claim of the petitioner.

4. Learned counsel for the petitioner submits that those who are juniors to the petitioner namely, Mahendra Prasad, Raj Kishore Prasad Jayswal, Ramashish Pandit, Ram Padarath Prasad, Arun Kumar Thakur and Jagannath Jha, have been regularized in service, but the petitioner has wrongly been deprived.

5. This Court is not dealing with substantiate proceeding. In the Contempt Application no positive direction can be given. However, the petitioner, if so likes, may draw the attention of the



Principal Secretary about the wrong done by the respondent authorities. If he does so, the Principal Secretary will consider the same and examine the case of the petitioner as claimed, was under Work Charge Establishment.

6. With the aforesaid observations and directions, this proceeding is dropped.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A
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