

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.912 of 2016
In
Civil Writ Jurisdiction Case No. 1519 of 2013**

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Mukesh Sharma @ Rajiv Kumar, Son of Suresh Rai, resident of village -
Khabra, P.S. Muzaffarpur Sadar, District - Muzaffarpur.

.... Appellant

Versus

1. Bihar State Electricity Board, Now Bihar State Power (Holding) Company Ltd. through its Chairman, Vidyut Bhawan, Bailey Road, Patna.
2. Joint Secretary, Now Bihar State Power (Holding) Company Ltd., Tirhut Area, Bihar State Electricity Board, Muzaffarpur.
3. General Manager, Now Bihar State Power (Holding) Company Ltd., Tirhut Area, Bihar State Electricity Board, Muzaffarpur.
4. General Manager, Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur.
5. Superintending Engineer, Bihar State Electricity Board, Now Bihar State Power (Holding) Company Ltd., Muzaffarpur.
6. Executive Engineer, Bihar State Electricity Board, Now Bihar State Power (Holding) Company Ltd., Muzaffarpur.
7. Deputy Director, Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur.

.... Respondents

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Appearance :

For the Appellant : M/S. Naresh Chandra Verma and Arun
Kumar Lal, Advocates.

For the Respondents : M/S. Vinay Kirti Singh and Vijay Kumar
Verma, Advocates.

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 23-03-2017 The petitioner has measurably failed in both the Writ

Petition and in this Letters Patent Appeal to establish that after his

land was acquired for the purpose of construction of power plant

in question, the petitioner was called for appointment in any



capacity by the then Bihar State Electricity Board or by the authority of the Muzaffarpur Thermal Power Station, Kanti, Muzaffarpur.

Right to seek regularization would accrue only if the petitioner, prima facie demonstrates that he was even appointed by the Bihar State Electricity Board or the Muzaffarpur Thermal Power Station and this having being not established. No case is made out for interference.

The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

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(Sudhir Singh, J)

