

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9065 of 2017

Ashok Kumar Jha Son of Sri Harihar Jha, resident of House No. 4, North Patel Ngar, P.O.- Keshri Nagar, District- Patna. Petitioner/s

Versus

1. The Union of India through the Secretary, New Delhi.
2. The Chairman, National Highway Authority of India, Ministry of Road Transport and Highway, G.5 and 6 Sector10, Dwarika, New Delhi.
3. The Chief General Manager (Coord/H.R.), National Highway Authority of India, G. 5 and 6 Sector 10, Dwarika, New Delhi.
4. The Project Manager, National Highway Authority of India, Patna.
5. The State of Arunachal Pradesh through its Secretary, Itanagar
6. The Superintending Engineer Coord. and TRG Capital Circle, PWD Itanagar, Arunachal Pradesh. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Ranjan Singh
For the Respondent/s : Mr. S.D. Sanjay, Addl. SG
Mr. S.N. Pathak

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SHIVAJI PANDEY)

3 28-01-2020 Heard learned counsel for the petitioner and learned counsel for the Union of India as well as National Highway Authority of India.

In the present case, grievance has been raised against National Highway Authority of India that the petitioner has been deprived of the benefit of regularisation in National Highway Authority of India.

The petitioner is originally an employee of Arunachal Pradesh Government, was sent on deputation to National Highway Authority of India on 04.09.2008, remained there upto



14.05.2012. In the meantime, National Highway Authority of India issued an Advertisement calling upon the application from the interested persons for their absorption and the due date was fixed as 01.01.2012, but that advertisement was not acted upon, thereafter, the second advertisement was published for absorption on 29.08.2012 in which the due date was fixed as 01.01.2012 and when the National Highway Authority of India has considered the case of candidates for their absorption, on that date, the petitioner was not on the role of National Highway Authority of India, hence his application was not considered for absorption.

It is well known principle of law that the deputationist does not have any vested right and the principal employer can call back the person to his parent department.

In the present case, before regularisation of the petitioner could have been acted upon, the Government of Arunachal Pradesh has issued a letter for the return of the petitioner, on the date of consideration of absorption, he was not on the role of National Highway Authority of India, hence this Court does not find any right or vested right to the petitioner for consideration of the case of the petitioner for absorption.

We do not find any error in the impugned order and,



accordingly, this petition is dismissed.

(Shivaji Pandey, J)

(Anjani Kumar Sharan, J)

Mahesh/-

U			
---	--	--	--

