

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1851 of 2016
IN
Civil Writ Jurisdiction Case No. 5073 of 2014**

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1. Mahesh Mahto, S/O Late Teeyai Mahto
2. Jagdish Thakur, S/O Late Shiv Narayan Thakur
Both Resident Of Village Prem Nagar, P.S- Runnisaidpur, District- Sitamarhi, At
Present Both Are Working As Godown Chowkidar, Rural Works Department,
Work Sub- Division, Sitamarhi, District- Sitamarhi.

.... Appellant/s

Versus

1. The State Of Bihar Through Secretary, Rural Works, Department, Bihar, Patna.
2. The Secretary, Rural Works, Department, Govt. Of Bihar, Patna.
3. The Chief Engineer, R.E.O.-II, Road Constructions (Works), Department, Bihar,
Patna.
4. The Superintending Engineer, Rural Works Circle Muzaffarpur, District-
Muzaffarpur.
5. Executive Engineer, Rural Works Department, Works Division, Sitamarhi.
6. Assistant Engineer, Rural Works Department, Works Sub Divisions, Sitamarhi.

.... Respondents Respondent/s

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Appearance :

For the Appellant/s : Mr. Durga Nand Jha, Advocate

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE DR. JUSTICE RAVI RANJAN)

Date: 14-07-2017

Heard parties.

Grievance of the appellants is that several persons were
taken into regular establishment from work charge establishment from
the same panel but the appellants were not given such benefit.

It is further contended that one person from the panel in
which the petitioners are also there namely, Triveni Mahto, has been



brought into regular establishment. Learned Single Judge has dismissed the writ application granting liberty to the writ petitioners-appellants to agitate their demand before the competent authority so that it will give such authority an opportunity to take a decision on such request or assertion of a right of the petitioners.

In such a situation, we do not want to interfere into the order passed by the learned Single Judge.

However, this application is disposed of with a liberty to the appellants to agitate the matter before the competent authority, which would be required to consider the same on its own merit and in accordance with law. It will also consider whether similarly situated persons were given such benefit or not and, thereafter, would pass a reasoned order with respect to the petitioners.

(Dr. Ravi Ranjan, J)

(S. Kumar, J)

Sanjay-II/-

AFR/NAFR	NAFR
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