

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10627 of 2014

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Rajendra Kumar Yadav, S/o late Ramrup Yadav, resident of Village Bajidpur
Chhipalia Pokher, P.O. Milki Chank, P.S. Bahardurpur, District Darbhanga

.... Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Department of Water Resources, Govt. of Bihar, Patna
2. The Engineer in Chief, Department of Water Resources, Govt. of Bihar, Patna
3. The Chief Engineer, Water Resources Department, Darbhanga
4. The Superintending Engineer, Water Resources Department, Darbhanga Circle Darbhanga
5. The Collector Darbhanga
6. The Executive Engineer, Quality Control Division, Darbhanga

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Respondent/s : Mr. Arbind Kumar No. 1, SC 13

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 03-01-2018

Heard counsel for the petitioner and the State.

2. It is submitted on behalf of the petitioner that in respect of others identically situated as the petitioner in the office, one judgment dated 07.07.2017 has been passed in C.W.J.C. No. 692 of 2017 wherein a Bench of this Court has directed that the Committee constituted under the Chairmanship of the Collector, Darbhanga should consider their cases for regularization.

3. In the light of the observations made in that order, the counsel for the petitioner submits that he is identically situated as that



of the petitioners in the said judgment and that he is entitled to similar consideration for regularization of his service on Class - IV posts.

4. Under the order dated 04.12.2017 this Court had given an opportunity to the State to place on record its stand with respect to the petitioner's claim. Till date no such stand has been placed on record.

5. No useful purpose would be served by keeping this proceeding pending if the others who were similarly situated as the petitioner are being considered for regularization in light of the observations passed in C.W.J.C. No. 692 of 2017 relying upon the resolution of the State Government bearing No. 639 dated 16.03.2006. The petitioner would also be entitled for consideration if the others who were similarly situated as the petitioner are being considered for regularization in the light of the said judgment.

6. These aspects may be looked into by the respondent no. 5 who is the competent authority. Such consideration may be made by a reasoned speaking order in the light of the observations passed in C.W.J.C. No. 692 of 2017 along with the case of others and if the petitioner is found entitled to the benefit similar to the writ petitioners in C.W.J.C. No. 692 of 2017 then the respondents will be obliged to extend the similar benefit to the petitioner.

7. In view of the aforesaid observations, the writ



petition is disposed off.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	05.01.2018
Transmission Date	

