

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.34 of 2016

IN

Civil Writ Jurisdiction Case No. 6163 of 1999

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Chandrachur Prasad Singh son of late Chhotelal Singh, resident of village-Pokhrama, P.S. Kajra, District-Laxhisarai, Ex. Seed Production Assistant, Bihar Rajya Beej Nigam Ltd. R.C. Singh Path, Indira Bhawan, 2nd Floor, Patna-800001, (at present 'Pant Bhawan', Bailey Road, Patna-800001.

.... Appellant/s

Versus

1. The State of Bihar.
2. Bihar Rajya Beej Nigam Ltd. a company registered u/s 617 of the Company's Act, 1956 having its Registered Office at Indira Bhawan, R.C. Singh Path 2nd Floor, Patna 800001 (at present pant Bhawan Bailey Road, Patna-800001)
3. Managing Director, Bihar Rajya Beej Nigam Ltd. Indira Bhawan 2nd Floor, R.C. Path, Patna-800001
4. Secretary, Bihar Rajya Beej Nigam Ltd. Indira Bhawan 2nd Floor, R.C. Path, Patna-800001
5. Regional Manager Bihar Rajya Nigam Ltd. Gurhatt, Chowk, Town and District-Bhagalpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Nilanjan Chatterjee, Adv.

Mr. Ram Vinay pd. Singh @ Sanjay, Adv.

For the State : Mr. Durgesh Nandan, AAG-4

Mr. Jitendra Kumar, A.C. to AAG-4

For Beej Nigam : Mr. Sourendra Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 28-03-2018

Heard learned counsel for the appellant and the learned
counsel for the respondent corporation.

No case for interference with the impugned order dated
29.10.2015 passed by the learned Single Judge is occasioned in this



Letters Patent Appeal for more than one reasons:

- (i) That after disengagement of the appellant by the Corporation in the year 1999 for almost two decades, no master and servant relation of any kind subsists in addition to that the learned Single Judge has gone into quite a detail as to the manner in which the engagement of the appellant on a daily wage was occasioned and facilitated.
- (ii) The occasion for direction of regularization would have arisen if the appellant continued to be engaged on daily wage for a long period of time and he was still in kind of employment with the Corporation. But long 20 years since the time of disengagement of the appellant has elapsed and the background under which the engagement was facilitated, the learned Single Judge has committed no error by refusing to pass any order in favour of the appellant besides certain factual aspect taken that the petitioner has not approached



the court with clean hand.

Be that as it may, we are not inclined to interfere with the
impugned order. The appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Devendra/Arjun

AFR/NAFR	NAFR
CAV DATE	NA
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