

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13943 of 2014

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Raghunandan Paswan Son of Sonai Paswan resident of Ghurghura, P.S. -
Madanpur (Araria), District- Araria. Petitioner

Versus

1. The State of Bihar through the Secretary, Road Construction Department, Government of Bihar, Patna.
 2. The Deputy Secretary to the Government, Department of Road Construction, Government of Bihar, Patna.
 3. The Engineer in Chief cum Special SEcretary, Road Construction Department, Government of Bihar, Patna.
 4. The Chief Engineer Traffic Division, Road Construction Department, Darbhanga, District- Darbhanga.
 5. The Superintending Engineer, Road Construction Department, Road Circle, Purnea, District- Purnea.
 6. The Executive Engineer, Road Construction Department, Road Division, Araria, District- Araria. Respondents
- =====

Appearance :

For the Petitioner/s : Mr. Alok Kumar @ Alok Kr Shahi, Advocate
For the Respondent/s : Mr. Kumr Pnkaj, AC to SC 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioner as well as

learned counsel for the respondents.

The writ petition has been filed claiming regularization on account of having discharged the duty as Road Labour under the Work Charge Establishment in the Road Construction Department, Road Division, Araria.

Relying upon the resolution of the Finance Department dated 17.10.2013 stand has been taken in the counter affidavit that the petitioner was not in the Work Charge Establishment on 25.3.2014 and as such his claim is barred under the provisions contained in Clause 4(ii) of the said



resolution. As per the said resolution, it was required that the petitioner should be on daily wage in the Work Charge Establishment at the time of issuance of the said resolution.

Stand of the State has not been denied or disputed by the petitioner by filing re-joinder to the counter affidavit. In view of the aforesaid position, the writ petition is devoid of merit and it is accordingly dismissed as the petitioner's claim is barred under the said resolution dated 17.10.2013.

(Madhuresh Prasad, J)

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