

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15916 of 2014

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Nand Kishore Poddar son of Ayodhya Prasad Poddar resident of Hasaili,
P.S. Falka, District – Katihar Petitioner

Versus

1. The State of Bihar, through the Secretary, Road Construction Department, Government of Bihar, Patna
 2. The Deputy Secretary to the Government, Road Construction Department, 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
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Appearance :

For the Petitioner/s : Mr. Sandeep Kumar, Advocate and
M. Rohit Raj, Advocate

For the Respondent/s : Mr. MP Yadav, GP 23

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 06-10-2018 Heard learned counsel for the petitioner and 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 rightly been taken by the State counsel that the petitioner's 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. Petitioner however was not working and had crossed the age of superannuation when his claim for regularization was being considered.

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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