

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5810 of 2015

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1. Brahamchari Singh, Son of Late Sheetal Singh, R/o Village & P.O.- Balaha Narayanpur, P.S.- Bhawanipur (Bihpur), District- Bhagalpur.
 2. Ranvijay Prasad Singh, Son of Sri Ram Prasad Singh, R/o Village- Shikariya, P.O.- Ratni Bazar, P.S.- Kurtha, District- Arwal.
 3. Ravi Ranjan Singh, Son of Sri Ramdeo Singh, R/o Village- Malhipur, P.O.- Shaligrami, P.S.- Shahebpur Kamal, District- Begusarai.
 4. Ashok Kumar Singh, Son of Sri Lal Bahadur Singh, R/o Village- Pateji Bahadur, P.S- Asan, District-Siwan.
 5. Shankar Sah, Son of Late Ram Bishun Sah, R/o Village + P.O.- Panchlakhi, P.S.- Nautan, District- Siwan.
 6. Mahesh Prasad Sharma, Son of Late Ramashray Sharma, R/o Village- Abirpur, P.O.-Hasi Kewal, P.S.-Bhawanipur, District- Vaishali.

... .. Petitioners

Versus

1. The State of Bihar through the Pincipal Secretary, Water Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
3. The Engineer-in-chief, (North), Water Resources Department, Government of Bihar, Patna.
4. The Chief Engineer, Water Resources Department, Government of Bihar, Samastipur Zone, Samastipur.
5. The Superintending Engineer, Flood Control Circle, Khagaria, Water Resources Department, Government of Bihar, Patna.
6. The District Magistrate, Khagaria.
7. The Executive Engineer, Flood Control Division No. 1, Khagaria.
8. The Executive Engineer, Flood Control Division No. 2, Khagaria.

... .. Respondents

Appearance :

For the Petitioner/s : Mr. Dinu Kumar,
Ms. Ritika Rani & Mr. Vijay Kumar Vimal
For the Respondent/s : Mr. Ajay- GA 5

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 08-10-2018 Heard learned Counsel for the petitioners and the
learned Counsel for the respondent State.

Counsel for the petitioners has submitted that though



the petitioners have discharged their duties under Flood Control Division since 1981 – 1987 their claim for regularisation has been rejected under order dated 27.8.2014 issued by the Chief Engineer, Water Resources Department, Samastipur.

Counsel for the State submits that the case of similarly situated employees of the same establishment has been rejected up to the Division Bench in the case of Ram Bilash Yadav and ors Vs State of Bihar arising out of LPA No. 1537 of 2014. The Division Bench by order dated 19.6.2018 has considered the fact that controversy existed regarding the vacancy position with reference to the roster, on which the petitioners therein had been appointed and that it was not clear that they were appointed on the sanctioned post after observing roster.

The said position has been taken note of in the order dated 27.8.2014. There is no reason for taking a different view of the matter.

The writ petition is devoid of merit and is accordingly dismissed.

(Madhuresh Prasad, J)

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