

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16330 of 2014

1. Ajay Kumar Thakur S/o Sri Krishnadeo Thakur resident of village - Teghra (Ratni Kha), P.O. Teghra, P.S. Haveli Kharagpur, District - Munger
2. Sushila Thakur W/o Sri Ajay Kumar Thakur resident of village - Teghra (Ratni Kha), P.O. Teghra, P.S. Haveli Kharagpur, District - Munger
3. Amrendra Malakar S/o Late Jagdeo Malakar Village + P.O. Rampur, P.S. Murliganj, District - Madhepura
4. Permishwari Thakur S/o Late Manki Thakur R/o village + P.O. Bathan Parsa, P.S. Shankarpur, District - Madhepura
5. Umeshwar Prasad Yadav S/o Late Munilal Yadav R/o village - Moujma, P.O. Jirwa, Madheli, P.S. Shankarpur, District - Madhepura
6. Mahendra Kumar Yadav S/o Late Balkrishna Yadav R/o Village - Jharkaha, P.O. + P.S. Shankarpur, District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Chief Secretary, Govt. of Bihar, Patna
3. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna
4. The Under Secretary, Water Resources Department, Govt. of Bihar, Patna
5. The Engineer - in - Chief, Water Resources Department, Govt. of Bihar, Patna
6. The Chief Engineer, Water Resources Department, Govt. of Bihar, Bhagalpur
7. The Chief Engineer, Water Resources Department, Govt. of Bihar, Purnea
8. The Chief Engineer, Water Resources Department, Govt. of Bihar, Birpur, Saharsa
9. The Superintending Engineer, Bhagalpur Circle, Water Resources Department, Govt. of Bihar, Bhagalpur
10. The Superintending Engineer, Bathnaha Circle, Water Resources Department, Govt. of Bihar, Bathnaha, Purnea
11. The Executive Engineer, Bhagalpur Division, Water Resources Department, Govt. of Bihar, Bhagalpur
12. The Executive Engineer, Saharsa Division, Water Resources Department, Govt. of Bihar, Saharsa
13. The Executive Engineer, Bathnaha Division, Water Resources Department, Govt. of Bihar, Bathnaha, Purnea

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Abdul Wadood

For the Respondent/s : Mr. Anuj Kumar, AC to SC 12

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-10-2018 Heard learned Counsel for the petitioners and the
learned Counsel for the respondent State.



Counsel for the petitioners submits that similarly situated persons have been regularised under Office Order dated 7.2.1994 (Annexure 3).

Earlier the petitioners had approached this Court by filing CWJC No. 22299 of 2012. The same was disposed of on the prayer made by the petitioners for consideration of their claim made in the representation dated 30.11.2012. Counsel for the petitioners has submitted that the claim of parity with those who were regularised under Annexure 3 was not raised in the representation dated 30.11.2012.

Since the issue has not been raised the same could not have been considered and on this ground the impugned order dated 9.4.2014 bearing No. 593 is not open to challenge. Even otherwise also, the order dated 9.4.2014 has assigned reasons for rejecting the petitioners' claim for regularisation by observing that they were seasonal workers and that there was no post available for their regularisation.

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

(Madhuresh Prasad, J)

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