

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 1334 of 2015

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Sanjay Singh son of Rajendra Singh resident of village+P.O.- Dumari, P.S.-
Singhaul, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Commissioner-cum-Secretary, Minor irrigation Department, Government of Bihar, Patna.
3. Joint Secretary, Minor irrigation Department, Government of Bihar, Patna.
4. Executive Engineer, Minor irrigation Department, Begusarai, District- Begusarai, Bihar
5. Assistant Engineer, Minor irrigation Division -III, Begusarai, District- Begusarai.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Rajeev Ranjan, Advocate

For the Respondent/s : N O N E

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 17-04-2018

Heard learned counsel for the petitioner. None appears
on behalf of the State.

2 The writ petition has been filed for quashing the order dated 01.10.1993 whereby the petitioner, who was working on daily wages as *Pump Chowkidar*, has been disengaged and for a direction upon the respondents to consider the case of the petitioner for regularization.

3 The case of the petitioner is that without complying with the mandatory requirements of giving one month's notice, the petitioner was disengaged. It is submitted that in view of Annexure 4,



since the exercise has been undertaken to examine the claim of the candidates waiting for regularization, the petitioner may also be considered for regularization of his services.

4 Such submissions would have been considered had the petitioner claimed his right and approached this Court within a reasonable time. The order, whereby the petitioner has been disengaged, is of 01.10.1993 and the writ petition has been filed in the year, 2015. There is no explanation whatsoever in support of the delay. It appears that only by realizing that some steps have been taken for regularization of employees in the Department, the petitioner has awaken from his deep slumber about 21 years after his disengagement from service.

5 The claim of the writ petitioner is clearly barred by delay and laches. Apart from that, the respondents have placed on record the explanation showing that in view of subsequent developments after the petitioner's disengagement, there is no scope for regularization of the petitioner.

6 The writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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