

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1650 of 2017

In

Civil Writ Jurisdiction Case No.211 of 2017

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1. Irshad Ahmad Son of Habid Hussain Post Key Man-cum-Chowkidar/Plumber Khalsi, resident of Mohalla - Kabir Mohalla Nawadih Road, Aurangabad, P.S. & District - Aurangabad (Bihar). At present Public Health Engineering Department Aurangabad, Office Aurangabad, District - Aurangabad (Bihar).
 2. Shiv Nandan Prasad Son of Late Chamari Mahto Post-Keyman-cum-Chowkidar, Public Health Engineering Department, Aurangabad, Office Aurangabad, District - Aurangabad (Bihar).
- Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
4. The Joint Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief Special Secretary (Mechanical) Public Health Engineering Department, Bishweshwaraiya Bhawan, Bailey Road, Patna.
6. The Chief Engineer (Mechanical), Public Health Engineering Department, Bishweshwaraiya Bhawan, Bailey Road, Patna.
7. The Superintending Engineer, Public Health Engineer Circle, Gaya.
8. The Executive Engineer, Public Health Division, Aurangabad, Bihar.
9. Sita Ram Singh Son of Yugal Singh Post - Nalkup Khalasi Public Health Engineering Department, Aurangabad, Office - Aurangabad, District - Aurangabad (Bihar).

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Amarendra Kumar Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 09-05-2018

Heard counsel for the appellants and counsel for the State.

The learned Single Judge has rightly taken note of the factual position that the present appellants cannot seek parity with



those employees who came to be appointed under the Work Charge Establishment as far back on 10.06.1988 whereas the regularisation of the appellants has been done only on 01.12.2006.

Merely because the appellants were holding the same kind of post under the respondents, they cannot equate themselves with such employees who had stolen a march over them by eighteen years. There is bound to be difference in salary and payment with regard to such employees who came to be appointed in the year 1988 and those who came to be regularised and appointed in the year 2006.

We are not satisfied that the equity which the appellants are perceiving is based on any rationale or principle of equity.

The learned Single Judge has rightly dismissed the writ application. We do not find any reason to interfere with the same. Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Rajesh/

AFR/NAFR	NAFR
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