

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.655 of 2018

In

Civil Writ Jurisdiction Case No.8797 of 2017

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Chandra Shekhar Pathak, Son of Late Digambar Pathak, Resident of Village-
Lalganj, P.O.- Bara, P.S.- Bihra, District- Saharsa.

... .. Appellant/s

Versus

1. The State Of Bihar through the Principal Secretary, Government of Bihar, Patna.
2. The Principal Secretary Department of Public Health Engineering, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
4. The Principal Secretary, Finance Administration, Govt. of Bihar, Patna.
5. The Engineer-in-Chief-cum-Special Secretary, Department of Public Health Engineering Govt. of Bihar, Patna.
6. The Chief Engineer, Department of Public Health Engineering, Bihar, Patna.
7. The Superintending Engineer, Public Health Engineering, Saharsa Circle, Saharsa.
8. The Executive Engineer, Public Health Engineering Division, Saharsa.

... .. Respondents-Respondent/s

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Appearance :

For the Appellant/s : Mr. Siyaram Pandey, Advocate

For the Respondent/s : Mr. S.Raza Ahmad -AAG 5
Mr. Kamil Akhtar, AC to AAG-5

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 18-07-2019

Heard learned counsel for the appellant.

We have perused the impugned judgement.

Learned counsel for the appellant contends that similarly
situate persons have been extended the benefit of absorption in



spite of having been retrenched. Learned counsel therefore submits that the appellant cannot be discriminated and treated differently.

Be that as it may, the learned Single Judge has recorded the facts which indicate that the services of the petitioner stood dispensed with on 17th of March, 1998. The writ petition giving rise to this appeal had been admittedly filed in the year 2017 which is almost after a lapse of two decades. We do not find any valid reason so as to accept the contention raised on behalf of the appellant as the writ petition is barred by laches.

The appeal therefore fails and is, accordingly, dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Sunil/-

AFR/NAFR	
CAV DATE	
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