

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.2105 of 2018

In
Civil Writ Jurisdiction Case No.233 of 2015

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Ramesh Chaudhary son of late Gangadhar Chaudhary resident of village Basauna, Post Office - Basauna, Police Station Bangaon, District Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar Through Jitendra Shrivastava, Secretary, Public Health Engineering Department, Government of Bihar
2. Mr. Vinay Kumar, the then Principal Secretary of the Public Health Engineering Department, Government of Bihar
3. Mr. Raghav Ram, the Chief Engineer Mechanical, Public Health Engineering Department, Vishweshwarai
4. Mr. Sanjay Kumar Mishra, the Executive Engineer, Public Health Division, Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lalan Kumar Singh
For the Opposite Party/s : Mr.S. Raza Ahmad - AAG 5

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

8 22-07-2019 Heard counsel for the petitioner and counsel for the opposite parties.

Counsel for the petitioner submits that reason assigned in the order dated 12.02.2019 falls having regard to the document contained in Annexure 7 of his reply to show cause filed by opposite party no.4, as it is apparent from annexure 7 that vacancies are existing.

Document referred to by counsel for the petitioner is of the year 2010. Whether vacancies are available today or not and whether order of Secretary, Public Health Engineering



Department dated 12.02.2019 rejecting petitioner's claim for regularization for want of vacancy is correct or not is an issue which cannot be adjudicated in these proceedings. This court is conscious of the limitation wherein legality/ correctness of order dated 12.02.2019 cannot be looked into in contempt jurisdiction.

Contempt petition is, therefore, disposed of with liberty to the petitioner to avail remedy in appropriate jurisdiction.

(Madhuresh Prasad, J)

s.hassan/-

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