

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7570 of 2016

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Krishna Prasad S/o Late Udan Prasad, resident of village Lanjo, P.S.-
Kakopali, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary, General Administration, State of Bihar, Old Secretariat, Bihar, Patna.
3. The Principal Secretary, Finance Department, Old Secretariat, Bihar, Patna.
4. The Principal Secretary, Road Construction Department, Bisheshwaraiya Bhawan, Patna.
5. The Deputy Secretary, Road Construction Department , Bihar, Patna.
6. The Superintending Engineer, Bhojpur, Road Circle, Road Construction Department, Bhojpur, at Ara.
7. The Executive Engineer, Road Division, Road Construction- Department, Bhojpur, At Ara.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mukul Prasad
For the Respondent/s : Mr.Nawal Kishore Singh- SC-2
Mr. J.K. Roy, SC-13

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

9 03-08-2021 This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

2. Heard learned counsel for the parties.

3. This writ petition under Article 226 of the Constitution of India was filed on 27.04.2016, seeking quashing of an office orders dated 10.09.2010 and 24.09.2010 issued under the signature of Deputy Secretary, Road Construction Department, Government of Bihar and the Executive Engineer,



Sahabad Road Division, Ara, whereby the petitioner's service in work charge establishment has been terminated.

4. It is the petitioner's case that he has been uninterruptedly working in work charge establishment since 1986 and most of the employees in similar circumstance, have been allowed to be absorbed in regular establishment. He has also submitted that this Court, in similar circumstance by an order dated 23.04.2014 passed in **CWJC No. 17447 of 2013 (Yugeshwar Singh Vs. State of Bihar and ors)** has allowed the writ application filed by similarly situated persons by quashing similar orders, whereby their service for work charge establishment was terminated.

5. Learned counsel for the petitioner has argued that the petitioner has been arbitrarily removed from the work charge establishment without duly noticing the fact that he had been working for nearly twenty years as on the date of termination of the service.

6. Be that as it may, it is evident that the petitioner approached this Court nearly six years after the order of termination was passed. The averments made in the writ application do not disclose any justifiable reason to explain this delay of nearly six years.



7. In my view, considering the inordinate delay on the part of the petitioner in approaching this Court, no relief as sought for by the petitioner can be granted. This writ application deserves to be dismissed on the sole ground of delay.

8. Accordingly, this application is dismissed.

(Chakradhari Sharan Singh, J)

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