

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3415 of 2021

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Pramod Kumar, Son of Late Awadh Bihari Prasad, Resident of Mohalla-
Revenue Colony, Chitragupta Nagar, P.S. Kankarbagh, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Secretary and Commissioner, Road Construction Department, Govt. of Bihar, Patna.
2. Joint Secretary to the Government, Road Construction Department, Government of Bihar, Patna.
3. Special Secretary to the Government, Road Construction Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mahasweta Chatterjee
For the Respondent/s : Mr.Lalit Kishore (Ag)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL ORDER

3 08-02-2022 On 29.01.2022 the following order was passed:

“This matter is heard via video conferencing due to circumstances prevailing on account of COVID-19 Pandemic.

None appears for the petitioner.

In the instant petition, the petitioner has prayed for regularization of service on the post of Engineer-in-Chief, Rural Engineering Organization. The petitioner has attained the age of superannuation and retired from service on 31.7.2002.

The cause of action accrued to the petitioner to regulate the period of service to the post of Engineer-in-Chief prior to 2002. The Apex Court in the case of **P.S. Sadasivaswamy vs The State of Tamil Nadu, reported in 1975 SCR (2) 356** held



that for the purpose of promotion, the employee/officer has to approach within a reasonable period of six months. Thus, the petitioner has not made out a *prima facie* case.

In order to give one more opportunity to the learned counsel for the petitioner, re-list this matter on 07.02.2022.

If there is no representation on behalf of the petitioner on the next date of hearing, the petition shall stand dismissed.”

Today also none appears for the petitioner, therefore, in the light of the order dated 29.01.2022, the present petition stands dismissed on the ground of delay and laches.

(P. B. Bajanthri, J)

Ravi/-

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