

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17712 of 2015

1. Manu Kumar Singh
2. Rajeev Ranjan Singh Both Sons of Bageshwar Prasad Singh Resident of Anandpuri Mohalla Near Flourmill, P.S. - Purnea Sadar, District - Purnea Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal secretary, Road Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna.
2. The Deputy Secretary, Road Construction Department, Vishweshwaraiya Bhawan, Bailey Road, Patna.
3. The Assistant Secretary, Road Construction Department, Government of Bihar, Vishweswaraiya Bhawan, Bailey Road, Patna.
4. The Engineer in Chief cum Additional Director-cum-Special Secretary, Road Construction Department, Government of Bihar, Vishweswaraiya Bhawan, Bailey Road, Patna.
5. The Chief Engineer, Central Design Organization, Road Construction Department, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar Mishra, Advocate
For the Respondent/s : Mr.AAG 8- Gautam Bose

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-09-2023 1. The present petition has been filed seeking the following relief :-

“(i) For issuance of appropriate writ in the nature of mandamus commanding/ directing the respondents to issue letter to the petitioners regularizing to the post of Laboratory Attendant as the name of the petitioners were declared for regularization by the committee constituted under the Chairmanship of Engineer in Chief



(Respondent no.-4) and their names were recommended for regularization.”

2. At the outset, the learned counsel for the respondent- State has referred to paragraphs no. 9 and 10 of the counter affidavit, filed in the present case to submit that a report was called for from the Superintending Engineer, Road Construction Department, Road Circle, Purnea and Executive Engineer, Road Construction Department, Road Division, Katihar, pursuant to which, they had furnished a report dated 23.09.2014, wherein they have stated that as far as the petitioner no. 1 is concerned, he has never been employed in the Sub-Division in question as daily wage employee and as far as the petitioner no. 2 is concerned, similarly he has also not ever been employed on daily wage at the regional laboratory, which is also apparent from paragraph no. 12 of the counter affidavit filed in the present case, hence, it is submitted that the petitioners do not have any case.

3. The aforesaid contention of the respondent- State has not been refuted by the petitioners, inasmuch as no rejoinder affidavit has been filed.

4. Having regard to the facts and circumstances of the case and considering the submissions made by the learned



counsel for the respondent- State, I do not find any merit in the present writ petition, accordingly the same stands dismissed.

(Mohit Kumar Shah, J)

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