

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.190 of 2020

In
Civil Writ Jurisdiction Case No.17478 of 2019

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Manoj Kumar Ram

... .. Appellant/s

Versus

The State of Bihar

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. A.K. Sinha Adv.

For the Respondent/s : Mr. Shastri Shekhar Tiwary AC to AAG-15

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

3 30-04-2024

Re I.A No. 01 of 2020

Heard I.A No. 01 of 2020

2. There is a delay of about 128 days in preferring the LPA No. 190 of 2020. Having regard to the fact that appellant was low paid employee and reasons assigned in support of condonation of delay read with affidavit, delay of about 128 days stands condoned.

3. I.A No. 01 of 2020 stands allowed.

4. With the consent of the learned counsels for the respective parties LPA No. 190 of 2020 taken up for final disposal. Question of regularization of appellant services against a Class-IV post is not supported by material information except



Annexure-01 to the CWJC No. 17478 of 2019 to the extent of one communication relating to post facto sanctioned of appellant engagement on daily wage basis with effect from 2012 and such order was passed in the year 2013. There are no other documents. Be that as it may, the appellant does not fulfill the criteria laid down by the Hon'ble Supreme Court in the case of **Secretary, State of Karnataka and others vs. Uma Devi (3) and others** decision reported in **(2006) 4 SCC 1**. Hence, the appellant has not made out a case so as to interfere with the order of the learned Single Judge dated 18.10.2019.

5. Accordingly, LPA No. 190 of 2020 stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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