

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 9735 of 2016

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Krishnanand Jha Son of Late Udhab Narayan Jha, Resident of Village-Shankarpur, P.O.- Kako, P.S.- Bhairav Asthan Jhanjharpur, District-Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
5. The Engineer-in-Chief-cum-Special Secretary, Public Health Engineering Department, Govt. of Bihar,
6. The Chief Engineer Mechanical, Public Health Engineering Department, Govt. of Bihar, Patna.
7. The Zonal Chief Engineer, Bhagalpur Zone, Department of Public Health Engineering.
8. The Superintending Engineer, Public Health Engineering Circle, Begusarai.
9. The Superintending Engineer, Public Health Engineering Circle, Saharsa.
10. The Exective Engineer, Public Health Engineering Division, Khagaria.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Siyaram Pandey, Advocate
For the Respondent/s : Mr. Raghwanand, G.A.-11

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 16-01-2024 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

2. The petitioner had approached this Hon'ble Court after his retirement and seeking a direction to respondent nos. 2, 6 and 8 to regularize the services of the petitioner on the post of Inspector/Work Sarkar, a Group-C post under the Public Health



Engineering Division, Khagaria. The petitioner has retired from the post of *Nalkul Khallasi*, Grade-D post on 31.01.2016 and he has filed the present writ petition in the month of June, 2016 and during his service period he has not filed any writ petition. After his retirement has filed the present writ petition on the ground that similarly situated employees of the same division has been given all the benefits including three promotions but the petitioner who worked for a period of 34 years, his total service counted only as 10 years.

3. Learned counsel for the State on the other hand submits that as per the policy decision of the General Administration Department, Government of Bihar contained in Memo No. dated 639 dated 16.03.2006 and direction of this Hon'ble Court in C.W.J.C. No. 7359 of 2002 another batch cases for consideration in light of the policy of the recommendation of a three-men committee and petitioner was absorbed as *Nalkup Khallasi* under P.S. division, Khagaria in pursuance of the police decision of the Government of Bihar and the petitioner has already been paid his retirement benefits in accordance with the policy decision as stipulated by the Finance Department, Government of Bihar contained in Memo No. 10710 dated 17.10.2013 and the length of the service of the



petitioner has been counted in accordance therewith after his superannuation w.e.f. 31.01.2016 and the petitioner has approached this Hon'ble Court after his retirement and during his service period he has not approached the Hon'ble Court.

4. In view of the aforesaid, it is admitted fact that the petitioner was retired from the service w.e.f. 31.01.2016 and after his retirement he has filed the present writ petition for granting the same relief as granted to the other similarly situated persons which was in his service period to the other similarly situated persons but he has not raised or challenged the same, this writ petition is dismissed on the ground of delay in latches.

(Rajesh Kumar Verma, J)

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