

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13387 of 2014

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Nayeem Akhtar son of Late Muneer Ahmad, Resident of Mohalla- Nil Kothi,
Dehri-on-Sone, P.O. and P.S.- Dehri, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Road Construction Department, Government of Bihar, Patna
3. The Engineer-in-Chief, Road Construction Department, Government of Bihar, Patna
4. The Chief Engineer, Road Construction Department, Mechanical NH Government of Bihar, Patna
5. The Superintending Engineer, Road Construction Department, N.H. Mechanical Rohtas at Sasaram
6. The Executive Engineer, Road Division, Dehri-on-Sone, Rohtas at Sasaram

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar No. 1, Advocate

For the Respondent/s : Mr. Krishna Kant Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 26-09-2024 Heard Mr. Arun Kumar No. 1, learned counsel

 appearing on behalf of the petitioner and Mr. Krishna Kant

 Singh, learned counsel for the respondents.

2. The petitioner in paragraph no. 1 of the present writ

petition has sought *inter alia* following relief(s), which is

reproduced hereinafter:

*"That by the present writ application, the poor and
helpless unemployed petitioner craves indulgence before this
Hon'ble Court for issuance of a writ in the nature of mandamus
directing the respondents to regularize the service of the
petitioner from vacant and sanctioned post of work charge
establishment to the Regular Establishment with full arrears
current and consequential emoluments / benefits as he has served
the department regularly with his full ability and competency to*



the best satisfaction of the all concern authorities of the department since March, 1992 to February, 1996 and onwards which is more than 240 days because several exactly similarly situated persons, petitioners of CWJC No. 7772/2006 (Prem Prakash Singh and another versus The State of Bihar and others) and CWJC No. 11776/2006 (Sanjay Kumar and others versus The State of Bihar and others) have already been regularized / reinstated on their respective posts vide order dated 02.12.2010 and 25.07.2007 passed in aforesaid 2 writ petitions respectively which are contained in Annexure-6 and 7 to this writ petition.

And further for issuance of any other writ or writs direction or directions as it may be deemed fit and proper to the facts and circumstances of this case."

3. Learned counsel appearing on behalf of the respondents submits that in light of the statement made in paragraphs no. 7 and 8 of the counter affidavit, the petitioner may approach the competent authority for redressal of his grievance.

4. Considering the fact that the respondents have not denied that the petitioner was not taken work during the period May, 1995 to February, 1996 and the payment has not been made to the petitioner only due to the reason that the petitioner has never claimed payment for the said period, I am surprised by the statement made in paragraphs no. 7 and 8 of the counter affidavit filed on behalf of the respondents no. 2 to 6.

5. The authority concerned is directed to make payment of wages forthwith to the petitioner to which the petitioner is entitled for and communicate the same to the petitioner well within a period of three weeks from the date of



passing of this order.

6. With aforesaid observations/directions, the present writ petition is disposed of.

(Purnendu Singh, J)

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