

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21101 of 2021

1. Ram Awadh Kumar Yadav Son of Sri Shambhu Yadav Resident of Village-Goiti, Ward No.10, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
2. Ghanshyam Yadav Son of Sri Ram Chandra Yadav Resident of Village-Ahirwaliya, P.O.- Kharpokhara, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
3. Bablu Yadav Son of Sri Kashi Yadav Resident of Village- Ahirwaliya, P.O.- Kharpokhara, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
4. Meghu Chaudhary Son of Sri Janki Chaudhary Resident of Village- Goiti, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
5. Prakash Chaudhary Son of Sri Sinhasan Chaudhary Resident of Village-Goiti, Ward No.16, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
6. Jitendra Chaudhary Son of Ramanand Chaudhary Resident of Village- Goiti, Ward No.17, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
7. Pappu Yadav Son of Lalan Chaudhary Resident of Village- Pokharbhinda, Ward No.10, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
8. Suresh Chaudhary Son of Mundrika Chaudhary Resident of Village-Serahava, Ward No.12, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).
9. Sanjay Chaudhary Son of Ram Pravesh Chaudhary Resident of Village-Serahava, P.O.- Narwal Barwal, P.S.- Bagaha-II, District- West Champaran, Pin Code- 845105 (Bihar).
10. Gulli Yadav Son of Late Ram Avatar Yadav Resident of Village- Goiti, P.O.- Narwal Barwal, P.S.- Bagaha, District- West Champaran, Pin Code- 845105 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Water Resources Department (Sinchai Srijan), Government of Bihar, Patna.
2. The Chief Engineer, Sinchai Srijan, Water Resources Department, Motihari, District- East Champaran.
3. The Superintending Engineer, Water Resources Department, Motihari, District- East Champaran.
4. The Executive Engineer, Tirhut Canal Division, Bettiah, District- West Champaran.
5. The Sub Divisional Officer, Tirhut Canal Division, Bagaha, West Champaran.



... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Shri Prakash Srivastava, Adv.
For the Respondent/s : Mr.Anjani Kumar (AAG-4)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-04-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1. For issuance of a writ in the nature of Mandamus commanding the Respondents No.2, especially the Respondent to 5 to consider the case of the petitioners under the Regular Establishment of Tirhut Canal Division, Bagaha because the Petitioners are regularly discharging their duties.

II. For issuance of a writ in the nature of mandamus commanding the Respondents, especially the Respondents No.2 to 5 and asking them as to under what statutory authorization the petitioners were engaged for such a long period and though till date they have been discharging their duties at par with the Regular Employees but have not been regularized.

III. For further issuance of a writ in the nature of mandamus commanding the Respondents especially Respondent No.2 to 5 asking them as to whether the engagement of the Petitioners for such long period is within statutory sanction, more particularly in view of the Judgment rendered by this Hon’ble Court in the Case of Surendra Singh & Another V/s The Engineer In Chief, C.P.W.D. & Others, reported



in AIR 1986 SC 584, the Judgment rendered in the case of Dhirendra Chamoli & Another V/s The State of U.P. & Others reported in (1986) 1 SCC 637 the Judgment rendered by this Hon'ble Court in the case of Sumeshwar Prasad Verma & Others V/s The State of Bihar & Others [C.W.J.C. No.4587 of 1989 dated 18.02.1991 and other Judicial Pronouncements on this subject.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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