

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4848 of 2014

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1. Manoj Kumar Paswan Son Of Ramsaroop Paswan Resident Of Mohalla-
Chuabag, Police Station- Kasim Bazar, District- Munger

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Secretary Public Health Engineering
Department, Government Of Bihar, Nirman Bhawan Campus, Bailey Road, Patna
2. The Engineer-In-Chief Cum Special Secretary, Public Health Engineering
Department, Nirman Bhawan, Bailey Road, Patna
3. The Special Work Officer, P.H.E. Department, Government of Bihar, Patna
4. The Zonal Chief Engineer, Public Health Engineering Department, Bhagalpur
5. The Superintending Engineer, Public Health Engineering Circle, Munger
6. The Executive Engineer, Public Health Engineering Division, Munger

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr Siya Ram Shahi
Mr. Ram Sevak Choudhary
For the Respondent/s : Mr. SC-17 Arvind Kumar-2

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 01-04-2015

A bald assertion has been made that there are posts which
are still vacant under the respondents in PHED at Munger.

One of the reasons why the claim of the petitioner could
not be considered in terms of Annexure- 10 was non- availability of
post. If there are vacancies now and also a vacancy for scheduled
caste candidate, which the petitioner is, the respondents will examine
the claim afresh, But this order is being passed only on the assertion
of the petitioner about available vacancy without there being any
impendent material to certify that position. The respondents will be
well advised to communicate to the petitioner the position in this

regard within a period of three months from the date of filing of an application with a copy of this order. Otherwise, the reason for rejection of the claim of the petitioner in terms of Annexure- 10 does not seem to be either irrational or arbitrary.

(Ajay Kumar Tripathi, J)

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