

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7001 of 2014

- =====
1. Aditya Kumar Son of Shukhdeo Das, Resident of Village - Hethmanpur Jora Maszid (Chamartoli), P.O. AND P.S. Buhiadganj, District - Gaya
 2. Mahendra Choudhary Son of Late Kailash Choudhary Resident of Village - Pirkhaasarai, P.S. Khijar Sarai, P.O. Maksudpur, District - Gaya
 3. Munna Kumar Choudhary Son of Late Mira Rai Chaudhary Resident of Mohalla - Andar Baragee (Near Central School), P.S. Delha, District - Gaya
 4. Shiv Shankar Choudhary Son of Late Dhanpat Choudhary Resident of Village - Marari, P.S. Khijarsarai, District - Gaya
 5. Barhan Singh S/O Sri Govind Singh R/O Bartara, P.S. Bagirganj, Distt. - Gaya

.... Petitioner/s

Versus

1. The State of Bihar Through Chief Secretary Govt. of Bihar, Patna
2. The Commissioner, Magadh Pramandal, Gaya
3. The Collector/District Magistrate, Gaya
4. The District Development officer, Gaya

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Paswan
For the Respondent/s : Mr. Satya Deo Kumar, SC-V

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 08-01-2015

Heard the parties.

The matter at issue in the present proceeding is non-inclusion of the names of the petitioners in the panel prepared for the purposes of appointment on Class IV posts in the District- Gaya on the basis of advertisement no.1 of 2004 issued by the District Collector, Gaya.

The petitioners had earlier moved this Court in C.W.J.C. No. 14418 of 2008, which was finally disposed of by order dated 13.08.2013 (Annexure-1) with a direction to the respondent District Collector to consider the case of the petitioners in accordance with law. In the light of the aforesaid direction, the matter was considered by the respondent District

Collector, Gaya and by the impugned order dated 15th January, 2014 (Annexure-2) the claim of the petitioners has been rejected by a reasoned and speaking order.

Indisputably, selection process started as far back as in the year 2004 by issuance of advertisement no. 1 of 2004. Panel was prepared for appointment on Class-IV post at the district level. The appointments have already been made. According to the learned counsel, certain posts are still vacant, therefore, the case of the petitioner could have been considered by the respondent District Collector for their appointment.

This Court is afraid, the submissions made on behalf of the petitioners cannot be countenanced. The selection process started in the year 2004 cannot be kept pending for an unending period. Since the date of initiation of selection process, more than 10 years have already elapsed. As per their own showing, a fresh selection process has already started by issuance of advertisement no. 1 of 2014 for appointment on Class-IV posts in the district of Gaya.

In above view of the matter, this Court is not inclined to interfere with the impugned order dated 15.01.2014 (Annexure-2) rejecting the claim of the petitioners for their empanelment and for their appointment on class-IV posts.

In the result, the writ petition has to fail and is, accordingly, dismissed, but without costs.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--