

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 15316 of 2007

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Sita Kumari W/o Radhey Shyam Pandit resident of Saraiya, P.O.- Saraiya,
P.S. Sahebganj, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar
2. The District Magistrate-cum-Collector, Muzaffarpur.
3. The District Welfare Officer, Muzaffarpur.
4. The Block Development Officer, Saraiya.
5. The Mukhiya, Gram Panchayat Raj, Saraiya.
6. The Sarpanch, Gram Panchayat, Saraiya.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Kailash Nath Diwakar

For the Respondent/s : AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3. 03-03-2015 Heard Sri K.N.Diwakar, learned counsel for the
petitioner and learned A.C. to Govt. Advocate – 10.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for directing the respondents to appoint him as Secretary in Bihar Gram Kachhari at Gram Panchayat Raj, Saraiya, Block Sahebganj, District Muzaffarpur.

It has been claimed by the petitioner that petitioner's candidature has incorrectly and illegally been rejected, only with a view to accommodate son of concerned Mukhiya.

In this case, a counter affidavit has been filed and in paragraph – 6, a specific statement has been made that the

petitioner was below the age, as prescribed in the advertisement and as such, there is no illegality in the action taken by the authority concerned.

In view of statement made in the counter affidavit as well as advertisement i.e. **Annexure ‘A’** to the counter affidavit, the Court is of the opinion that no relief can be granted to the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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