

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15322 of 2006

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Shambhu Kumar, son of Sri Tribhuwan Prasad Sah, resident of village-Mirchaibari
Chowk, P.S.-Katihar, District- Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Katihar.
3. The District Establishment Deputy Collector, Katihar.
4. The District Nazarat Deputy Collector, Katihar

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Advocate
Mr. Mukesh Kumar Jha, Advocate
For the State : Mr. Prabhat Ranjan, AC to G.P.12.

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL JUDGMENT

Date: 10-12-2015

Heard learned counsel for the petitioner and the State and
perused the records of this case.

The petitioner seeks direction to the respondent District
Magistrate, Katihar to appoint him on the post of class IV in one of
the different offices under Katihar district on the basis of the panel
prepared pursuant to the advertisement published from the level of the
Collectoriate, Katihar. He has claimed that the persons below him in
the panel have been appointed but the petitioner has been excluded.

A counter affidavit and three supplementary counter
affidavits have been filed on behalf of the State coming out with the
clear case that nobody below the petitioner has been appointed. The
petitioner has raised an issue that one Dhananjay Rai has been

appointed in general category who happens to be below him, however, a categorical statement has been made in the counter affidavit that the said Dhananjay Rai has been appointed in the category reserved for Extremely Backward Castes. The petitioner has not been able to controvert the aforesaid statement, however, at the same time, learned counsel for the State has assured that whenever the term of the petitioner would come, he would be considered for the appointment in accordance with law.

Accordingly, this writ application stands disposed of.

(Dr. Ravi Ranjan, J)

V.K. Pandey/-

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