

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9655 of 2008

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Asha Kumari, wife of Saroj Kumar, resident of village- Kumhau, P.O. Morsarai, District- Rohtas

.... Petitioner

Versus

1. The State of Bihar
2. Secretary, Department of Rural Development and Panchayat Raj, Govt. of Bihar, Patna
3. Secretary, Department of Human Resources, Govt. of Bihar, Patna
4. Director, Department of Panchayati Raj, Govt. of Bihar, Patna
5. District Magistrate, Rohtas
6. Block Development Officer, Sheosagar Block, Rohtas

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ashutosh Ranjan Pandey
Mr. Ramanuj Tiwary
Mr. Anshuman

For the Respondent/s : Mr. AC to GA-8

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

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2 09-04-2015 Heard learned counsel for the petitioner and learned

AC to GA-8.

The petitioner ,invoking writ jurisdiction of this Court under Article-226 of the Constitution of India, has prayed for quashing of a letter no.4633 dated 28.09.2007 issued by the Director, Panchayati Raj, Govt. of Bihar, Patna, whereby a direction was issued to appoint on the post of Secretary, Gram Kachahari only those candidates , who were having Matriculation Certificates.

The case of the petitioner is that she was having

Madhyama Certificate, which according to the petitioner is equivalent to Matriculation or Secondary Examination. However, the case of the petitioner was not considered, whereas in the counter affidavit, which has been filed on behalf of Respondents, it has been categorically stated that the petitioner's case was considered and she was put at Serial no.1 in the merit list, however she did not appear in the counselling and, as such, the case of other candidate was considered. The statement regarding non-appearance of the petitioner in the counselling has been made specifically in paragraph-13 of the counter affidavit, which has not been denied by the petitioner.

In view of fact disclosed in the counter affidavit, the writ petition stands dismissed.

(Rakesh Kumar, J)

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