

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16023 of 2007

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Ahilya Julm Khilafi son of Ganesh Mishtri @ Ganesh Julm Khilafi resident of village, Bhramarpur, P.S. Binpur, Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna
2. The Director, Panchayati Raj, Govt. of Bihar, Patna
3. The District Magistrate, Bhagalpur
4. Gram Kachhahari through its Sarpanch, Gram Panchayat Nagarpara East, P.S. Binpur, Bhagalpur
5. Anant Kumar Kundan, son of Pulkit Prasad, resident of village Bhramarpur, P.S. Bihpur, Bhagalpur

.... Respondent/s

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL JUDGMENT
Date: 12-05-2015

Heard.

The petitioner seeks a direction commanding the respondents to appoint him on the post of Secretary, Gram Kachahry within Gram Panchayat Nagarpara in the district of Bhagalpur.

The appointment/engagement is covered by a rule which was notified on 08.03.2007 (copy whereof is enclosed as Annexure-1). The petitioner was not selected on the ground that she was a matric pass. The claim of the petitioner is that he had passed the Madhyama examination from Sanskrit Shiksha Board.

The counsel for the State relying on the averments made in the counter affidavit as also the rule-provision, submits that the relevant eligibility clause contemplates that an applicant must be a

matric pass. No other equivalence has been provided therein. In view of the rule-provision the respondents have already clarified this position.

The applications raising similar grievance have been considered by this Court and considering the rule-provision as also the fact that the engagement is on contract basis, coterminous with the tenure of Gram Kachahry, relief has been denied. The present case should also meet the same fate.

The application is dismissed.

(Kishore Kumar Mandal, J)

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