

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1187 of 2014

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1. Runa Kumari Wife Of Ajay Kumar Thakur Resident Of Village + P.O.-
Khodavandpur, P.S.- Khodavandpur, District- Begusarai

.... Petitioner/s

Versus

1. The State Of Bihar Through Principal Secretary, Social Welfare Department,
Bihar, Patna
2. The Director, IcDs, Bihar, Patna
3. The Divisional Commissioner, Munger
4. The District Magistrate, Begusarai
5. The District Programmer Officer, Begusarai
6. The Child Development Programme Officer (C.D.P.O.), Khodavandpur,
Begusarai
7. Mrs. Premlata Kumari W/O Santosh Kumar Sharma Resident Of Village + P.O.
+ P.S.- Khodavandpur, District- Begusarai
8. The Secretary, Gram Panchayat Narpa, Bithan, Samastipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. SITA RAM YADAV

For the Respondent/s : Mr. AJIT PRATAP SINGH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 12-02-2015

Writ application is required to be dismissed on the sole
ground that there is no infirmity in the decision of the Divisional
Commissioner, Munger in deciding the fact that the private
respondent belongs to M.B.C. in terms of the notification issued in the
year, 2009.

No doubt Barhai as a caste were treated as a backward
class prior to the year 2009. The advertisement was issued in the
year 2007 but if the selection has come to be made after the change of
class and category of the private respondent, then the

benefit of reservation extended to such class or caste cannot be snatched away on technicality by the petitioner in this regard. The order of the Divisional Commissioner is, therefore, rational, cogent and in accordance with the existent classification of Barhai as a caste.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

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