

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.724 of 2013

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1. Jay Kumar Son Of Shree Chandra Shekhar Ojha Resident Of Village & P.O.- Khabra, P.S.- Sadar Muzaffarpur, Town And District- Muzaffarpur
 2. Babita Kumari Wife Of Shree Santosh Kumar Resident Of Village & Post Khabra- Rahul Nagar, Gumti No. 6 P.S. Sadar (Muzaffarpur), District- Muzaffarpur
 3. Vijay Kumar Son Of Chandrashekhar Ojha Resident Of Village & Post Khabra- Rahul Nagar, P.S. Sadar Muzaffarpur, District- Muzaffarpur

.... Petitioner/s

Versus

1. The State Of Bihar through The Secretary, Department Of Personnel, Government Of Bihar, Patna
2. The District Magistrate, Muzaffarpur
3. The Commissioner, Tirhut Division, Muzaffarpur
4. The Additional Collector, Muzaffarpur
5. The Information Officer cum Deputy Collector, Muzaffarpur
6. The Director (Employment), Awar Pradeshik Niyojnalaya, Muzaffarpur
7. The Assistant Director, Awar Pradeshik Niyojnalaya, Muzaffarpur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Singh

For the Respondent/s : Mr. U.S.S.Singh, GP 1

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 23-09-2015

Heard counsel for the petitioners and counsel for the State.

There cannot be repeated directions and conflicting directions by diverse Benches of this Court on preparation of panel for appointment of Class IV posts in the district of Muzaffarpur.

The Court has reason to observe as above because the petitioners have filed a writ application raising a grievance that when a panel contained in Annexure- 3 was notified, their names

did not figure in the said list even when their names were very much available in Annexure- 2. They have many other things to say with regard to the reasons of exclusion.

Counter affidavit on behalf of the State has been filed. They have taken a clear and categorical stand that a total of 3260 applications were received through Employment Exchange. This list was published on 20.6.2011. In the said list, name of the three petitioners were very much present. However, when the District Level Panel Committee met they decided to take into consideration the previous direction of a Bench of this Court as well as the circulars issued by the Department of Personnel and Administrative Reforms from time to time. A copy of the decision dated 13.6.2011 is Annexure-D. Based on the said parameters as well as the direction of the High Court, a provisional panel of short listed candidates of 549 applicants was published on 1.7.2011. Objections thereafter were invited. The petitioners did not file any objection. The list was finalized and published on 22.7.2011. After more than a year on 22.8.2012, objections were filed by the petitioners by way of representation before the Additional District Magistrate, Muzaffarpur. Since the list had already been prepared and finalized, the names of the petitioners cannot be incorporated.

Further, the exercise seems to have been done in terms

of various directions issued from time to time by the High Court.
If the petitioners have missed the bus and do not fall within the parameters of Annexure- D then this Court is not going to give a direction for their inclusion at this belated hour.

Writ has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

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