

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.323 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 11928 of 2008**

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1. Prabhat Kumar Rai, Son of Late Sudama Rai, Resident of Satoshi Maa Path Mahabir Nagar, Sasaram, P.S. Sasaram District Rohtas
 2. Satyendra Prakash, Son of Chandradeep Singh, Resident of Mohalla Premchand Path, Gourahhani, P.S. Sasaram, District Rohtas

.... Writ Petitioners /Appellants

Versus

1. The State of Bihar Through Principal Secretary, Dept. of Human Resources, Govt. Of Bihar, Patna
2. The Director, Bihar Education Project, Beltron Bhawan, Shastrinagar Bailey Road, Patna
3. The District Magistrate Cum Chairman, Bihar Education Project , Rohtas, Sasaram
4. The Deputy Development Commissioner, Rohtas
5. The District Superintendent Of Education Cum District Project Co-Ordinator , Rohtas

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Raghunandan Kumar Singh
For the State : Mr. Prabhakar Dwivedi, AC to SC 21
For Bihar Education Project
Council : Mr. Girijesh Kumar

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 19-07-2016

This Letters Patent Appeal is directed against the order dated 28.10.2013 passed by the learned Single Bench in CWJC No. 11928 of 2008.

The appellants applied for the post of Technical Supervisor under the Bihar Education Project, Rohtas at Sasaram, in response to the Advertisement dated 24th August, 2006. A panel of 39 candidates

was prepared for appointment including the names of the appellants as well. Since no appointment letter was issued, the petitioners made representation and later filed writ petition.

The learned Single Bench has found that name of the appellant no. 1 is at serial no. 35 and that of appellant no.2 is at serial no.21 of merit list, whereas the candidates empanelled from serial no. 1 to 14 were given works. Since the appellants are lower in merit, they cannot claim any right for assignment of work and that too in a panel in the year 2006-07.

Consequently, we do not find any merit in the present appeal. The appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

mrl

AFR/NAFR	NAFR
CAV DATE	N.A.
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