

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.11673 of 2013

- =====
1. Gajendra Jha Son Of Shri Devi Jha Resident Of Village - Godhiya, P.O. - Wolesspur, District - Vaishali, At Present Resident Of Mohalla - Ram Bhadea, Police Station - Town (Hajipur), District - Vaishali
 2. Sarvjeet Prasad Son Of Shri Dhaneshwar Prasad Resident Of Village - Muzaffarpur, P.S - Bidupur, District - Vaishali At Present Resident Of Mohalla - Ram Ghodra, P.S. - Town (Hajipur), District - Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar , Through The Chief Secretary, Bihar, Patna
2. The Commissioner, Tirhut Division, Muzaffarpur
3. The Collector, District - Vaishali , Hajipur
4. The Deputy Collector, Establishment, Vaishali, Hajipur

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. S. P. Tiwary & Mr. Sanjeev Kumar
For the Respondent/s : Mr. Rajiv Roy, G.P. 1 &
Mr. Suresh Kumar, A.C. to G.P. 1.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date: 06-09-2016

The petitioners is permitted to make necessary correction in the affidavit by giving the age of the person who has sworn the affidavit.

2. Heard learned counsel for the petitioner and learned counsel for the State.

3. In this writ application the petitioner has made a prayer for quashing the annual panel prepared for the year 2003 which has been prepared without following the norms of the guidelines issued vide Circular No. 31-R-109/73 Ka 16441 dated the 3rd of

December, 1980. It appears that the petitioner has also made a prayer for giving a direction for initiation of the disciplinary proceeding against the appointing authorities.

4. It appears that the petitioner had earlier challenged this panel in C.W.J.C. No. 5386 of 2004 which was disposed of on 19.01.2006 with a direction to the petitioner to file a representation before the District Magistrate, Vaishali who will examine and take decision in accordance with law, as contained in annexure-3. In pursuance thereof, the District Magistrate, Vaishali considered the representation of the petitioner and found that there was no illegality committed in preparation of the panel for appointment on Grade D/IV posts. In paragraph 1 of this writ application the aforesaid order of the District Magistrate, Vaishali has not been challenged.

5. In such view of the matter, there cannot be any modification of the order contained in annexure-3 when the Collector, Vaishali has already rejected the representation of the petitioner.

6. In such view of the matter, this writ application itself is misconceived. It is dismissed.

(Shivaji Pandey, J)

Amin/-

U			
---	--	--	--