

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5405 of 2014

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Md. Mustaqim Son Of Md. Yasin Resident Of Mohalla- Bhawara, Sihiniyan Chowk, Ward No.- 2, Madhubani, Police Station And District- Madhubani

.... Petitioner/s

Versus

1. The State Of Bihar, Through The Chief Secretary, Government Of Bihar, Old Secretariat, Patna-1
2. The District Magistrate Madhubani

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhas Ranjan

For the Respondent/s : Mr. Avinash Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 26-02-2016

Heard learned counsel for the parties.

The District Magistrate, Madhubani has passed the order, dated 14th of December, 2012, i.e., Annexure-7. This is the order, which has been passed on the basis of a previous direction issued by the Court in C. W. J. C. No. 10053 of 2005.

By virtue of this order, claim of the petitioner for appointment on a class-iv post has been rejected. The reason assigned is that the petitioner's name was there in the 2004 panel. However, depending on the number of vacancy available then, the same was filled up. The panel does not subsist and exist any more, because the validity does not last beyond a year.

It is in this background that the claim of the petitioner for consideration has been rejected. There is nothing illegal about the

rational and reasoning given by the respondents in the order of rejection.

In view of the same, writ application is dismissed.

Counsel for the petitioner, however, submits that at least for the period, petitioner had worked, the remuneration should be paid.

Let the petitioner file an application, giving details of the period of work, which will be verified and an early decision with regard to such claim will be made known to the petitioner within a period of three months from the date of filing of such an application.

(Ajay Kumar Tripathi, J)

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