

IN THE HIGH COURT OF JUDICATURE AT PATNA**Letters Patent Appeal No.668 of 2016**

Shivjee Chaudhary, S/o Late Jhabbu Chaudhary, resident of Akopur Chak
Parsuram, P.O- Kakam, P.S.- Mufassil, District- Siwan.

.... Appellant

Versus

1. The State of Bihar through the Secretary, General Administration Department,
Govt. of Bihar, Patna.
2. The Commissioner, Saran Division at Chapra.
3. The District Officer-cum- Collector, Siwan.
4. The Additional Collector Establishment, Siwan.
5. The Deputy Collector, Nazarat, Siwan.
6. Kamlesh Kumar Singh, S/o- Rajendra Singh, resident of Village- Jurkan, P.O-
Markan, P.S.- Hussainganj, District- Siwan.
7. Ravikant Kumar, S/o- Chandradeo Chaudhary, resident of Village & P.O.-
Tarwa, P.S.- Muffasil Siwan, District- Siwan.
8. Rakesh Kumar Prasad, S/o- Chandrika Manjhi, resident of Village- Majhabalia,
P.O.- Sahlor, P.S.G.B. Nagar Tarwara, District- Siwan.
9. Parsuram Singh, S/o- Ramkishun Singh, resident of Village- Karaua, P.S.-
Pachlakhi, P.S.- Muffasil, District- Siwan.
10. Bachcha Kumar Yadav, S/o- Shiv Narayan Choudhary, resident of Village +
P.O. + P.S.- Hussainganj, District- Siwan.
11. Raj Kishore Ram, S/o- Late Joshi Ram, resident of Village + P.O- Dhanuti,
P.S.- Muffasil, District- Siwan.
12. Bhola Singh, S/o- Ram Naresh Singh, resident of Ramachapra, P.O- K.T.
Varauli, P.S.- Darauli, District- Siwan.
13. Raju Kumar Singh, S/o- Late Lakhan Singh, resident of Village + P.O.-
Karsaut, P.S.- Daraunda, District- Siwan.
14. Ranjan Kumar Singh, S/o- Late Lalan Singh, resident of Village + P.O.-
Karsaut, P.S.- Daraunda, District- Siwan.

.... Respondents

Appearance :

For the Appellant/s : Mr. Prakash Srivastava

For the Respondent/s : Mr. Madhav Pd. Yadav, G.P.23

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date: 22-11-2016

Heard Mr. Prakash Srivastava, learned counsel for the appellant and Mr. M.P.Yadav, learned GP 2, for the Respondents.

The order dated 8th of March, 2016 passed by the learned Single Bench of this Court in C.W.J.C. No. 15451 of 2014 is subject matter of challenge in the present Letters Patent Appeal whereby, the writ application has been disposed of giving liberty to the appellant to submit representation with regard to his non-inclusion in the panel to be prepared for Class-IV employees.

The appellant claims himself as daily wage employee. In pursuance of the direction of this Court in M.J.C.No. 200 of 2013, Advertisement No. 01/2013-14 was published in the news paper inviting applications from the male candidates in the age group of 18 to 37 years and 18 to 40 years in respect of female candidates as on 31st of March, 2013. Different age limits were prescribed for reserved category candidates. Learned counsel for the appellant submits that his claim should be considered even if the appellant was over-age as per the age prescribed in the advertisement.

Once the appellant does not satisfy the age criteria as per advertisement published, he cannot be empanelled for appointment as being over-age.

In view of the above, this Letters Patent Appeal is without any merit. The same is accordingly, dismissed.

(Hemant Gupta, ACJ)

(Vikash Jain, J)

A.I./-

AFR/NAFR	N.A.F.R.
CAV DATE	NA
Uploading Date	29.11.2016
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