

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7693 of 2014

- =====
1. Binod Yadav, Son of Shri Krishna Yadav, Resident of Mohalla- Navtoli, P.S.- Sadar (Darbhanga), District- Darbhanga
 2. Dilip Kumar Paswan, S/o- Shri Ram Chandra Paswan, R/o- Mohalla- Laxmi Sagar (Railway Crossing) P.S.L.N.M. University, District- Dharbhanga

.... Petitioner/s

Versus

1. The State of Bihar through the Director in Chief, Health Services, Govt. of Bihar, Patna
2. The Selection Committee through it's Chairman, the Superintendent, Darbhanga Medical College AND Hospital, Laheria Sarai, District- Darbhanga
3. The Superintendent, Darbhanga Medical College AND Hospital, Laheria Sarai, District- Darbhanga
4. The District Collector, Darbhanga

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Suman Kumar Singh

For the Respondent/s : Mr. SC-13 ARBIND KUMAR NO-1

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 09-05-2016

Annexures 8 and 8/A both dated 12.07.2012 are under challenge in the present writ application.

By virtue of the said decision, the Superintendent, Darbhanga Medical College Hospital, Darbhanga have rejected the claim of the petitioners for appointment on Class IV posts on the ground that both the petitioners ranked below the number of vacancies which were available and were filled up by persons above the two. In addition to that it is also categorically stated that no person below the rank of the petitioners has been appointed. Therefore, this is no

question of any discrimination practiced by the respondents.

Learned counsel for the petitioners tried to demonstrate through annexure-9 that there are certain vacancies available and they ought to have been filled up and if not done, should be done even now.

Annexure-9 is a document relating to the year 2006. The appointment was from the panel of 1998. Life of the panel lapsed after the appointment came to be made against the vacancies available then. The petitioners cannot claim benefit of appointment on the basis of a panel which is more than 16 years old now.

In view of the above, annexures 8 an 8/A are not required to be interfered with.

This writ application is, thus, dismissed.

(Ajay Kumar Tripathi, J)

Amin/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	10.05.2016
Transmission Date	