

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7215 of 2014

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Chandan Kumar son of Rabindra Nath Yadav resident of village - Jhopa, P.S.
Lakshmipur, Distt. - Jamui

.... Petitioner/s

Versus

1. The State of Bihar through District Magistrate, Jamui
2. District Magistrate, Jamui
3. District Soil Conservation officer, Jamui
4. Soil Conservation Officer cum Project Implementing Agency (PIA) - Integrated Water Management Program (IWMP), Jhajha, Jamui
5. Niranjana Kumar Paswan son of Doman Paswan resident of village - Pawan, P.S. Lakshmipur, Distt. - Jamui

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh

For the Respondent/s : Mr. Ashok Priyadaeshi, GA-4

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 31-03-2016

Heard learned counsel for the parties.

Petitioner has raised a grievance against the selection of private-respondent no. 5 for the post of Secretary, Water Management Committee at Jhajha.

According to the petitioner and as per the guidelines and rules, a family member of a PDS Dealer was not entitled to be considered for such engagement. However, the petitioner also accepts the position that at the time of selection, the PDS license of father of the private-respondent was under suspension. In other words, father of the private respondent was not a PDS Dealer at the relevant time.

The eligibility / ineligibility have to be reckoned at the time

of such selection. If by subsequent developments, a change comes about, that cannot relate back to the decision, which has been taken in the given facts as in existence at the time of decision making.

No interference, therefore, is required with the decision for such selection.

Writ application is dismissed.

(Ajay Kumar Tripathi, J)

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