

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2951 of 2008

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Binod Prasad Mahto @ Binod Yad, son of Ramjatan Mahto, resident of Village-
Gwaltoli, Kursela, P.S. Kursela, District- Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. The District Magistrate, Katihar.
3. The District Welfare Officer, Katihar.
4. The Block Development Officer, Kursela, P.S. Kursela, District- Katihar.

.... Respondents

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Appearance :

For the Petitioner : Mr. Bimal Kumar,
Mrs. Maruti Kumari, Advocates.

For the Respondents : Mr. Prashant Pratap, GP-2
Mr. Lala S.N. Rais, AC to GP-2

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 02-11-2017

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ petition has been filed for a direction
to the respondents to appoint the petitioner on a Class-IV post being a
disabled person.

3. Learned counsel for the petitioner submits that
pursuant to an advertisement published in the year 1999, the
petitioner applied but was however not called for the interview. A
representation in this regard was filed before the District Magistrate,
Katihar on 08.01.2002 (Annexure-3) but to no avail.

4. Learned counsel for the respondents on the other hand
opposes the writ petition, pointing out that the advertisement itself
required experience certificate to be enclosed with the application by
candidates which was a mandatory requirement. In the present case,



no experience certificate was enclosed and hence the petitioner was excluded from the panel. It is further submitted that the petitioner was offered the benefits of Prime Minister’s Employment Scheme but the petitioner was not interested to avail the same.

5. Having regard to the stand of the parties, this Court is not inclined to interfere in the matter. It appears that the advertisement is issued as far back as in the year 1999 and the representation before the District Magistrate was filed on 08.01.2002 but thereafter the petitioner does not appear to have taken any steps in the matter and the present petition has been filed only in the year 2008. The petitioner has thus not acted with due diligence for seeking remedy of his grievances. Moreover, the requirement of the advertisement has also not been complied with as the petitioner has been found to be without work experience. This fact has not been controverted as no rejoinder to the counter affidavit has been filed.

6. In the above circumstances, the writ petition stands dismissed.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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