

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17786 of 2008

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Ramesh Chandra Rajak, son of late Dwarika Rajak, resident of Mohalla New Colony, Ward No.5, Near Water Tanki, Police Station Saharsa, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna.
2. The Bihar State Electricity Board, Patna through its Secretary having its office at Bidyut Bhawan, Bailey Road, Patna.
3. The Chairman, Bihar State Electricity Board, Vidyut Bhawan Bailey Road, Patna.
4. The Secretary, Bihar State Electricity Board, Vidyut Bhawan, Bailey Road, Patna.
5. Koshi Electric Supply Area, Saharsa through its Managing Director-cum- Chief Engineer.
6. The Managing Director-cum-Chief Engineer, Koshi Electric Supply Area, Saharsa.
7. The Commissioner, Koshi Commissionary, Saharsa.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the BSEB : Mr. Mr. Anand Kumar Ojha
For the State : Mr. Partha Sarthy, GA 4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

10 17-11-2017 Heard learned counsel for the petitioner and learned counsel for the State and Bihar State Electricity Board.

In the present case, petitioner is challenging the order dated 13.8.2008 passed by the Managing Director-cum-Chief Engineer, Koshi Electric Supply Area, Saharsa by which he has rejected his claim.

The petitioner had applied for the post of switch operator against the advertisement vide



notice/PR/B.S.E.B./206 published in daily “Dainik Jagran” dated 6.7.2006, the relevant time, the petitioner aged-42.

Admittedly the petitioner was more than 42 years on the date of filing of the application and on that reason he could not be selected. The Government vide its resolution dated 22.6.2006 has enhanced the upper age of scheduled caste to 42 years, Bihar State Electricity Board had adopted the same on 28.6.2007 in the shape of Standing Order No.862 wherein two decisions have been taken, firstly extended the age of superannuation and another for appointment of scheduled caste upper age has been enhanced up-to 42 years. The entire selection had completed prior to enhancement of age by the Bihar State Electricity Board. Hence the claim of the petitioner for getting relaxation of age of two years does not arise and order dated 13.8.2008 (Annexure-14) does not require any interference.

This Court does not find any merit in this writ petition.

Accordingly this writ petition is dismissed.

Vinay/-

(Shivaji Pandey, J)

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