

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.935 of 2016

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Ram Lal Rai S/o Sri Lal Rai Resident of Village- Baramani, P.O Kharudah, P.S
Thakurganj, District Kishanganj.

.... Petitioner

Versus

1. The State of Bihar through the Commissioner, Purnea Division, Purnea.
2. The Collector, Kishanganj.
3. The Deputy Development Commissioner, Kishanganj
4. The Additional Collector, Kishanganj.
5. The Mission Director, Bihar Mahadalit Development Mission ,Bihar,Patna.
6. The In-charge Officer, District Public Complaint Cell, Kishanganj.
7. The Block Development Officer, Thakurganj Block, Kishanganj.
8. The Mukhiya , Kharudah Gram Panchayat of thakurganj Block , Kishanganj.
9. Raj kumar Harizan S/o Dilip Lal Harizan , at present working as Vikash Mitra in
Kharudah Gram Panchayat Of Thakurganj Block in Kishanganj.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.
Mr. Diwakar Sinha, Adv.

For the Respondent/s : Mr. Ravish Chandra, AC to SC-6

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 21-06-2017

Heard Mr. Pankaj Kumar Sinha, learned counsel appearing
for the petitioner and Mr. Ravish Chandra, AC to SC-6, for the State.

The petitioner has questioned the order dated 8.6.2015 of
the Collector, Kishanganj, whereby his claim for appointment as
Vikas Mitra following selection process initiated in the year 2010 has
been rejected. A copy of the order is impugned at Annexure 1 to the
writ petition.

It is the argument of Mr. Sinha, learned counsel for the
petitioner, that the very opening paragraph of the impugned order



would reflect that the petitioner was found to be the best candidate for appointment in the first round selection process initiated for which he filed his application on 3.3.2010 and it is entirely due to fault of the respondents that the petitioner was not granted appointment. He submits that a representation was filed before the District Magistrate, Kishanganj making complaint on 17.11.2011 present at Annexure 5/1 and which again was not responded to forcing the petitioner to move Janta Darbar by filing an application on 3.5.2012. It is submitted that the matter was referred to the District Magistrate, Kishanganj for consideration and the District Magistrate taking note of participation of the petitioner in the second round selection process, has rejected the claim of the petitioner even though the petitioner in terms of the observation present at the opening paragraph was found to be most suitable for appointment in fresh counseling.

Having heard learned counsel for the parties, I am of the opinion that even if the petitioner was wronged in the first round selection process, yet no indulgence can be granted to the petitioner at such belated stage where the petitioner has chosen to come before this Court almost after six years of first round selection process. No indulgence is also possible in view of the fact that undisputedly the petitioner participated in the second round selection process but lost the contest to one Raj Kumar Harijan who secured better marks



than the petitioner. It is taking note of all these aspects of the matter that the District Magistrate has rejected the claim of the petitioner and which opinion expressed by the District Magistrate suffers no infirmity requiring any interference.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
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