

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.248 of 2015

IN

Civil Writ Jurisdiction Case No. 16603 of 2007

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Pradip Kumar Verma, Son of Sri Ganshyam Lal Das, Resident of Ward No. 7, D.B. Road, Saharsa, P.S + District- Saharsa.

.... Petitioner

Versus

1. The State of Bihar through its Commissioner-cum-Secretary, Department of Human Resources Development Department, Govt. of Bihar, Patna namely, Mr. R.K. Mahajan.
2. The Director, Madhyan Bhojan, Human Resources Development Department, Govt. of Bihar, namely, Mr. Anand Kishore.
3. The District Magistrate, Saharsa, namely, Mr. Shashi Bhushan Kumar.
4. The Regional Deputy Director of Education, Kosi Division, Saharsa, namely Mr. Prakash Ranjan Kumar.
5. The District Education Officer-cum-Chairman of Selection Committee of Sadhan Sevi, District- Saharsa, namely, Mr. Md. Khalid Ansari.
6. The District Superintendent of Education-cum-Secretary of Selection Committee of Sadhan Sevi, District- Saharsa, namely, Mr. Md. Khalid Ansari.
7. The Sub-Divisional Education Officer-cum-Monitoring Officer-cum-Member of Selection Committee of Sadhan Sevi, District- Saharsa, namely, Mr. Nand Kishore Ram.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, adv.

For the Respondent/s : Mr. Lalit Kishor, PAAG-1

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 09-02-2017

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

2. In this case, the petitioner is raising grievance that the
opposite parties have violated the order of this Court passed in
C.W.J.C. No.16603 of 2007 as while making the fresh selection no



weightage has been given for his experience what he has gained while discharging the duty, by placing reliance on the observations made by this Court in page No.6, which are as follows:-

“Though this Court has itself found that the selection and appointment of the petitioners’ was not made in accordance with law and/or after following the mandate of Article-14 and 16 of the Constitution of India, it would still find that the petitioners have acquired certain experience on account of being associated with theses posts for a period of almost two years. Thus the petitioners can definitely be given right of being considered afresh when a new advertisement is sought to be made.”

3. But, in ultimate paragraph, the Court has specifically mandates that no additional right or weightage will be granted while making the selection. It will be useful to quote ultimate paragraph of the aforesaid order, which reads as under:-

“Till such selection and appointment is made, the petitioner in view of the earlier interim order as also the resolution passed on 10.07.2009 shall continue to work, which, however, will not give any additional right or weightage for being appointed on the post of Sadhan Sevi in the new process of selection and appointment.



4. In such view of the matter, this Court finds that the opposite parties have not violated the terms of the order of this Court and no any wrong has been done to the petitioner. Accordingly, this contempt proceeding is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
CAV DATE	N/A.
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Transmission Date	N/A.

