

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1805 of 2016

In
Civil Writ Jurisdiction Case No. 13169 of 2015

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1. Anjil Kumar son of Sri Arun Kumar Chaurasia resident of village -
Kaushalpur, P.S. - Amarpur, Dist - Banka.

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department,
Bihar, Patna.
3. The Director, Secondary Education, Bihar, Patna.
4. The Deputy Development Commissioner, Banka.
5. The District Education Officer, Banka, Bihar.
6. The District Programme Officer (Establishment), Banka.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Vivekanand Vivek

For the Respondent/s : Mr. Abbas Haidar-Sc6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR

UPADHYAY

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

6 07-08-2017 Finding there to be a patent error in the advertisement issued in allocation of posts without following the reservation roster, the impugned order Annexure-6 was passed by the District Programme Officer staying the entire selection and when the appellant sought appointment on the basis of select list prepared, the Writ Court did not interfere into the matter and rightly so as there was error in the advertisement in notifying the post without following the roster for reservation. The Writ Court has granted liberty to the appellant to withdraw the original documents and



certificates submitted by him and did not interfere with the act of not making the selection.

We are of the considered view that once the selection has been stayed and nothing has been done by the select list, merely because the name of the appellant is there in the select list for appointment, no interference can be made once the authority, as is evident from Annexure-6 has stayed the entire selection process on account of the fact that there is error in the advertisement particularly with regard to the reservation contrary to the roster, we find no error in the order of the Writ Court.

The appeal stands dismissed.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

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