

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.643 of 2016

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1. Ashutosh Kumar Singh son of late Ganga Charan Prasad Singh Dalpati ,Gram Panchayat Raj, Bhadas, P.s+Block- Khagaria, District Khagaria.
2. Naresh Prasad Singh Son of Ram Bahadur Singh Dalpati, Alauli, District Khagaria.
3. Pramanand Mandal s/o late Biranchi Mandal Dalpati, Panchayati Rahimpur(south), P.s +Block-Distt-Khagaria.

.... Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Department of Panchayat Raj, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Panchayati Raj, Govt. of Bihar, Patna..
3. The Director , Panchayati Raj, Bihar, Patna.
4. The District Magsitrate, Khagaria.
5. The District Panchayat Raj Officer, Khagaria.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.
For the Respondent/s : Mr. Sriram Krishna, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 20-09-2017

Heard learned counsel for the parties.

The petitioners herein pray for a direction to the respondents for appointment as Panchayat Sewak/ Secretary on the basis of a policy decision of the State Government on the issue having served as a Dalpati.

A counter affidavit is filed and at paragraph 6 thereof it is stated that the case of the petitioners was considered for appointment as against the vacancies available but there were candidates who secured better position in the category to which these petitioners belong and that is the reason for their non-selection. It is clarified that



petitioner no.1 Ashutosh Kumar Singh came from backward category quota and was listed at serial no.15 but the person appointed Jai Prakash Tiwari was found senior to him. It is stated that similarly petitioner no.2 Naresh Prasad Singh figured at serial no. 13 of the list in EBC quota but the person appointed, Manikant Nirala, was found senior to him. It is further stated that petitioner no.3 Parmanand Mandal also fell in EBC quota but was found junior to the person appointed i.e. Muneshwar Thakur. It is, thus, mentioned that it is because the position of these petitioners was found below the last person appointed in their respective category that they have not been appointed and which is the reason for their non-selection.

Having heard learned counsel for the parties and considering the reason so assigned at paragraph 6 of the counter affidavit, no cause for indulgence is made out on the grievance raised and the writ petition is disposed of accordingly.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
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