

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7261 of 2016

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Deonarayan Prasad Son of Ram Baran Prasad, resident of Village- Bhorahan, P.O Andhari, P.S. Riga, Dist- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Revenue and Land Reforms Bihar, Patna.
2. The Director Consolidation Bihar, Patna.
3. The Deputy Director, Consolidation West Champaran Bettiah.
4. The Consolidation Officer, Ram Nagar, (West Champaran).

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Respondent/s : Mr. S.Raza Ahmad, AAG9

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 16-07-2018

None appears for the petitioner. Mr. Vishambhar Prasad A.C. to AAG-5 is present.

I have perused the pleading on record and I have heard Mr. Prasad learned counsel for the respondent who informs that the petitioner though appointed on the newly created post as Ujarat (temporary Amin) vide Memo No. 594 dated 22.11.1979, a copy of which has been enclosed at Annexure- A on a consolidated pay. At paragraph 5 of the counter affidavit it is stated that petitioner gave his joining on 03.12.1979 pursuant to Annexure-A and worked until 20.11.1985 but thereafter has abandoned his work and never returned. It is stated that the petitioner has gone traceless since 20.11.1985.



The counter affidavit was filed on 09.07.2018 and when a prayer was made by the learned counsel for the petitioner to file rejoinder which was allowed. Today when the matter is taken up there is no representation on behalf of the petitioner. The petitioner prays for issuance of a writ in the nature of mandamus to appoint the petitioner on the post of Amin. Nowhere in the writ petition has the petitioner established his claim for the appointment nor has given any foundational basis for the relief. The position has been clarified by the respondents and which goes uncontested.

In the circumstance so discussed, I find the relief so prayed thoroughly misconceived, not requiring any indulgence. The writ petition is dismissed accordingly.

(Jyoti Saran, J)

Bibhash/Ranveer

AFR/NAFR	NAFR
CAV DATE	NA
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