

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10419 of 2017

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1. Upendra Kumar, son of Late Shatrughan Prasad Singh, resident of Village + P.O.- Pawa, Police Station- Dipnagar, District- Nalanda.
 2. Vijay Kumar Sinha, son of Late Shyam Kishore Sinha, resident of Mohalla- Shastri Nagar, P.O.- Jamui, Police Station and District- Jamui.
 3. Neel Kamal Kumar son of Suresh Sharma, resident of Village- Mahuari, P.O.- Siddhipur, Police Station- Paliganj, District- Patna.
 4. Asha Kumari daughter of Rai Krishna Nandan Prasad, resident of Mohalla- Shastri Nagar, P.O.- Jamui, Police Station and District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Government of Bihar, Patna.
4. The Deputy Director, Secondary Education, Government of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No-2
For the Respondent/s : Mr. SMT. SHILPA SINGH- GA12

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 12-02-2018 Heard the learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

Mr. Manish Kumar, learned counsel appearing on behalf of the petitioners, submits that in view of the decision of this Court in C.W.J.C. No. 18736 of 2014 dated 16.01.2015, there is no occasion for the respondents to invite declaration from the holders of degree from Patna University since the petitioners before this Court are holders of degree of Patna University and



as such, the action of the respondents to deny consideration on the ground that they have failed to furnish declaration after hearing the learned counsel for the respondents and considering the stand of the respondents contained in paragraph-12 of the counter affidavit, which is as under:-

“That since these petitioners failed to furnish the said declaration and hence their candidature for Niyojan as Librarian could not be considered.”

The writ petition is disposed of with a direction to the respondents to consider the case of the petitioners along with the other eligible candidates in view of the fact that in the matter of degree of Patna University, there was no occasion for submission of any declaration as held out by a co-ordinate Bench of this Court in C.W.J.C. No. 18736 of 2014 contained in Annexure-5.

With the aforesaid, the writ petition stands disposed off.

(Anil Kumar Upadhyay, J)

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