

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2625 of 2016

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Raja Ram Mahto Son of Ram Shabad Mahto Resident of village - Alampur, P.S.
Bachhwara, District - Begusarai

.... Petitioner

Versus

1. The State of Bihar through Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
2. The Principal Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
3. The Director, Department of Revenue and Land Reforms, Government of Bihar, Patna
4. Deputy Secretary, Department of Revenue and Land Reforms, Government of Bihar, Patna
5. The Chairman Bihar Staff Selection Commission, Patna
6. The Secretary, Bihar Staff Selection Commission, Patna

.... Respondents

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Mrigendra Kumar, AC to GA4

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 03-01-2018

None appears on behalf of the petitioner. Heard Mr.
Mrigendra Kumar, learned AC to GA-4, for the State.

Perused the records.

The petitioner prays for issuance of a writ in the nature of
mandamus commanding the respondents to appoint him against the
post of Amin under the Revenue and Land Reforms Department,
Govt. of Bihar, Patna.

Mr. Mrigendra Kumar, learned State Counsel, has while
opposing the relief prayed in the writ petition submitted that since the
petitioner did not possess the requisite qualification of having degree



of Amanat from a Government recognized Institute or a certificate of training of Surveyor from I.T.I. as on the cut off date which was 13.3.2014 as per advertisement that his candidature was rejected. He submits that the essential qualification for appointment against the post of Amin is an Intermediate Pass or equivalent qualification from a recognized Board or an Institution alongwith the degree of Amanat from a Government recognized Institute or a certificate of training of Surveyor from I.T.I. In reference to the statement made in paragraphs 6, 7 and 10 of the counter affidavit he submits that such certificate was produced by the petitioner only in July, 2014 which was beyond the cut off date. He next refers to a judgment of a Co-ordinate Bench of this Court passed in a matter arising from C.W.J.C.No. 2763/2015 (**Ravi Shankar Sinha & ors. v. the State of Bihar**) present at Annexure 'D' to submit that a similar issue had fallen for consideration before a Co-ordinate Bench and the plea was rejected on want of essential qualification and which opinion of the Writ Court was affirmed by the Division Bench when L.P.A.No. 1657/2015 was dismissed vide Annexure 'E'. He thus submits that the issue stands concluded requiring no indulgence.

Having heard Mr. Kumar, learned State Counsel, and considering the statement present at paragraphs 6, 7 and 10 of the counter affidavit which goes uncontested, no cause for indulgence is



made out to the relief prayed and the writ petition is accordingly disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.01.2018
Transmission Date	NA

