

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4177 of 2016

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Bharat Yadav S/O- Sri Raghunath Yadav, Resident of village + PO-
Rampur Ke Tola Anchal Siswan, P.S.- M.H. Nagar, Hasanpura, District-
Siwan, Bihar

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna
2. The Principal Secretary cum the Director, Consolidation land Revenue Department, Govt. of Bihar, Old Secretariat, Patna
3. The Joint Director, Consolidation Bihar, Patna
4. The Deputy Director Bihar Survey Officer, Guljarbagh, Patna
5. The Anudeshak Directorate of Consolidation Budh Marg, Patna
6. The Incharge Assistant Director, Rohtas cum Anudeshak cum Chairman, Practical Knowledge Enquiry Committee, the Directorate of Consolidation Land Revenue Department IVth Floor LDB Budha Marg, Patna
7. The Circle Officer, Anchal Siswan, Siwan
8. The Dealing Assistant Directorate of Consolidation Budh Marg, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Manish, Adv.

For the Respondent/s : Mr. Gyan Prakash Ojha, GA-7

Mr. Gopal Krishna, AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 06-02-2018

Heard learned counsel for the parties.

The petitioner is aggrieved by his non-selection to the post of Amin following a selection process conducted vide Advertisement No. 6/2012, a copy of which is at Annexure 1 to the writ petition.

The advertisement is of the year 2012 and the selection process ended in the year 2014. Though the petitioner made his name to the provisional list but in the final list his name was struck off and the reason was assigned in the communication dated



24.11.2014 of the Instructor, Chakbandi Directorate, Bihar, Patna, a copy of which is at Annexure 7 to the writ petition, which inter alia informs the petitioner that his name has been removed in absence of experience certificate attached to his application form. The submission of the experience certificate is not a mandatory condition as found in the eligibility qualification present in the advertisement even though it adds to priority. Thus, a simple non-enclosure of the experience certificate ipso facto would not be sufficient for removal of the name of the petitioner from the select list unless there was a better candidate in his category.

However, considering that the selection relates to the year 2012 and which stood completed in the year 2014, a delayed attitude by the petitioner in raising the grievance more than a year later in the year 2016, does not persuade this Court to enter into the merits of the claim or enter into the intricacies of the rejection.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

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