

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11366 of 2014

=====

Jitendra Rajak son of Late Birendra Rajak resident of village - Barvatta, P.O.
Amrath, P.S. + District - Jamui

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Registration, Government of Bihar, Patna
2. The I.G. Registration, Bihar, Patna.
3. The District Magistrate - Cum - Chairman, District Compassionate Appointment Committee, Nawadah
4. The District Registrar, Nawadah
5. The District - Sub - Registrar, Nawadah

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr Arun Kumar, Advocate

For the S t a t e : Mr Mahendra Prasad Verma, AC to SC XX

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 04-01-2018

Heard counsel for the petitioner and the State

2 By the recommendation dated 08.08.2008, the petitioner was found worthy of appointment on compassionate ground on Class III post. The same was conditional upon his qualifying eligibility test which was provided in the same recommendation. Not having succeeded in the eligibility test conducted pursuant to the said recommendations, the appointment was made on Class IV post in the year, 2010. The instant writ petition has been filed four years thereafter seeking reconsideration of his claim for appointment on Class III post.



3 Since the counter affidavit discloses that the petitioner was not found worthy of consideration for Class III post as the same can be done only on being successful in the efficiency/eligibility test conducted in the Collectorate Assembly Hall. Admittedly, the petitioner has not qualified or has not been declared successful in the said test. Therefore, the petitioner has no right to consideration contrary to the recommendations dated 08.08.2008. He has already availed the appointment under the said recommendation dated 08.08.2008.

4 For the reasons aforesaid, the petitioner has no enforceable claim. The writ petition is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.01.2018
Transmission Date	NA

