

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6373 of 2016

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Anand Mohan Bhaskar, S/o- Bhogendra Yadav Bhaskar, Resident of Village-
Madanpatti, P.O- Jalsain, P.S.- Rudrapur, District- Madhubani.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Chief Secretary, Government of Bihar, Old Secretariat, Patna.
3. The Commissioner-Cum-Secretary, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
4. The Agriculture Production Commission, through the Commissioner, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
5. The Agriculture Direction, Government of Bihar, New Secretariat, Patna.
6. The Joint Director, Agriculture, Darbhanga Range, Darbhanga.
7. The District Agriculture Officer, Madhubani.
8. The District Magistrate-Cum-Collector, Madhubani.
9. The District Development Commissioner, Madhubani.
10. The Additional Collector (Land Ceiling), Madhubani.
11. The District Recruitment Officer, District Employment Exchange, Madhubani.
12. The Deputy Collector (Establishment) Collectorate, Madhubani.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Adv.

For the Respondent/s : Mr. Birju Prasad, GP-13

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 10-05-2018

Heard Mr. Uday Pratap Singh, learned counsel for the petitioner and Mr. Birju Prasad, learned GP-13, for the State.

The petitioner prays for appointment as a Village Level Worker following the selection process initiated through Advertisement No. 31-36/1993 published on 27.12.1993.

It is the submission of the learned counsel for the petitioner that a merit list was prepared in the year 2000 of 43 candidates in which the name of the petitioner appeared at serial no. 33. However, no follow up steps were taken thereafter. He while agreeing that the petitioner has come belatedly submits that vide order dated 23.3.2015



at Annexure 7 one Pawan Kumar Yadav has been issued appointment although he was at lower position in the merit list than the petitioner. It is submitted that it is following appointment of Pawan Kumar Yadav that the petitioner made a representation before the District Magistrate, Madhubani on 18.5.2015 but which has remained pending and hence, the writ petition.

The writ petition was filed on 6.4.2016 and is being taken up after two years but no counter affidavit is filed on behalf of the District Magistrate, Madhubani.

Although there is a counter affidavit on behalf of respondents no. 3 to 5 but it does not answer the issue.

Even while observing that the claim raised by the petitioner is belated but considering the submission of learned counsel that the respondents have continued with making appointment from the panel as late as until 2015 as manifest from the order dated 23.3.2015 at Annexure 7 which is an appointment order of one Pawan Kumar Yadav, I deem it proper to direct the District Magistrate, Madhubani to consider the grievance of the petitioner and dispose of the same in accordance with law within a period of three months from the date of receipt/ production of a copy of this order.

The writ petition is allowed.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.05.2018
Transmission Date	NA

