

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.1413 of 2017**

**In**  
**Civil Writ Jurisdiction Case No.11809 of 2016**

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Md. Shabir Ansari S/o Late Md. Mustaquim resident of Mohalla - Sarai  
Sattar, P.O. + P.S. - Laheriasarai, District - Darbhanga, Pincode - 846001.

... .. Appellant

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, General Administration Department, Patna.
3. The Mission Director, Bihar Administrative Mission Society (General Administration Department), Patna.
4. The Divisional Commissioner, Darbhanga Division, Laheriasarai, District - Darbhanga.
5. The District Magistrate, Darbhanga.
6. The Deputy Collector (Establishment), Darbhanga.

... .. Respondents

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**Appearance :**

For the Appellant/s : Mr. Raj Kumar Mishra

For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG3

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**  
**and**  
**HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

4      07-05-2018                      Heard counsel for the appellant and counsel for the  
  
State.

The learned single Judge took note of the following  
facts in dismissing the writ application:

“Mr. S.K.Ranjan, learned AC to GP-17,  
in reference thereto informs that although  
unintended mistake occurred in the affidavit of the  
District Agriculture Officer but the factual position  
is that the two candidates, namely, Jitendra Mohan  
and Nishant Kumar, whose name appeared at serial  
nos. 22 and 23 of the wait list, belonged to the  
general category. Since two candidates, namely,  
Amardip Kumar and Raushan Kumar, both coming



**under the general category, did not choose to join that these two were appointed against the vacancies that arose by their non-joining. It is mentioned that although the name of the petitioner does appear at serial no.12 of the merit list of backward category candidate but since no vacancy arose in that category that he was not offered appointment. It is specific stand of the respondents that none below the petitioner has been appointed amongst the backward category.”**

Even in appeal nothing has been produced on behalf the appellant to show that any person, belonging to the Backward Caste, below the present appellant has come to be appointed.

There is not reason to interfere with the impugned order. Appeal is dismissed.

**(Ajay Kumar Tripathi, J)**

**( Nilu Agrawal, J)**

Pawan/-

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