

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3823 of 2010

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MANJU SHREE D/O BINDESHWAR MANDAL R/O VILL MAKUNHIYA
,P.S SURSAND,DISTT-SITAMARHI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. THE PRINCIPAL SECRETARY,HUMAN RESOURCES DEVELOPMENT
DEPARTMENT BIHAR,PATNA
3. THE DIRECTOR ,HIGHER SECONDARY EDUCATION ,HUMAN
RESOURCES DEVELOPMENT DEPARTMENT BIHAR,PATNA
4. THE DIRECTOR ,SECONDARY EDUCATION,HUMAN RESOURCES
DEVELOPMENT DEPARTMENT BIHAR,PATNA
5. THE SPECIAL DIRECTOR ,HUMAN RESOURCES DEVELOPMENT
DEPARTMENT BIHAR, PATNA.
6. THE REGIONAL DEPUTY DIRECTOR OF EDUCATION TIRHUT
DIVISION, MUZAFFARPUR.
7. THE DISTRICT EDUCATION OFFICER SITAMARHI.
8. THE S.D.O. SITAMARHI ,SADAR,DISTT-SITAMARHI.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar
For the Respondent/s : Mr. R.B.N. Singh AC to GA-10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 31-08-2018 From the order dated 08.03.2010 it appears that this Court has allowed the petitioner to participate in the counseling subject to the final outcome of the writ petition. Thereafter, for the first time the case was listed in this week. This writ petition was filed on 03.03.2010. But even after expiry of eight years the respondents have not filed any counter affidavit, this shows attitude of the respondents in conducting the case before this Court.

Since the respondents have not filed any counter



affidavit in the instant case, the court has no option but to decide the writ petition on the basis of the material available on the record. In the totality of the facts and circumstance, this Court has to reason to believe that there is no infirmity in the qualification of the petitioner, otherwise respondents must have filed counter affidavit indicating the infirmity in the qualification degree for appointment. Since, the petitioner was allowed to participate in the counseling vide order dated 8.3.2010, the Court directs the respondents to take final decision, if not already taken on the selection of the petitioner as 'Librarian' within a maximum period of 30 days from today and grant all consequential benefits within a further period of 30 days.

With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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