

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10773 of 2014

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Md. Juned Alam Son of Md. Ataur Rahman Resident of Village- Pachgachhi,
P.S- Ballia, Belon (Kadwa), District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Education Department, Government of Bihar, Patna.
3. The District Magistrate, Katihar.
4. The Deputy Development Commissioner, Katihar.
5. The District Program Officer (Establishment), Katihar.
6. The District Teacher Appointment Appellate Authority, Katihar.
7. The Chairman, Selection Committee, Panchayat Shikshak, Gram Panchayat, Unaso, Pachgachhi, P.S- Balia Belon (Kadwa), District- Katihar.
8. Mukhiya, Gram Panchayat, Unaso, Pachgachhi, P.S- Balia Belon (Kadwa), District- Katihar.
9. Secretary- Cum- Panchayat Sevak, Gram Panchayat, Unaso, Pachgachhi, P.S- Balia Belon (Kadwa), District- Katihar.
10. Abdus Samas Son of Md. Mabib Alam Resident of Village- Sundargachhi, Minapur, P.S- Balia Belon (Kadwa), District- Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishore Singh

For the Respondent/s : Mr. Anwar Karim, AC to GP 10

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 01-11-2018 By way of supplementary affidavit learned counsel appearing for the petitioner has placed on record letter no.6706 dated 01.10.2008 issued by the Department of Personnel and Administrative Reforms, Govt. of Bihar. Mr. Ram Kishore



Singh, learned counsel representing the petitioner with reference to the aforesaid letter no. 6706 dated 01.10.2008 submitted that in appropriate case the appointing authority/recommending authority may further relax the eligibility criteria for appointment in Physically Challenged category although the Department has set 32% disability as minimum requirement for consideration of the case for appointment in Physically Challenged category.

Mr. Singh further submitted that still vacancy exists there in the Physically Challenged category in the employment unit Gram Panchayat Unaso Panchgachhi, PS Balia Balon (Kadwa) in the district of Katihar and as such the present writ petition may be disposed of with a direction to the respondents to consider the case of the petitioner strictly in the light of the decision of the Personnel & Administrative Department contained in letter no. 6706 dated 01.10.2008 (Annexure-11 to the supplementary affidavit.).

In view of the above, the writ application is disposed of with a direction to the Secretary-cum-Panchayat Sevak, Gram Panchayat Unaso Panchgachhi, PS Balia Balon (Kadwa) in the district of Katihar to consider the case of the petitioner if vacancy exists there in the Physically Challenged category in



accordance with their own policy decision and take a decision in this regard within a period of four months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

mrl./-

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