

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5421 of 2016

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1. Bishram Prasad Manjhi, S/o Late Sriharan Majhi, R/o Village- Mirganj Harkhawali, P.S. Mirganj, District – Gopalganj.
 2. Intiyaz Alam, S/o Pan Mohamad R/o Vill. - Jangalia, P.S. Gopalganj, Distt. – Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary.
2. The Commissioner, Saran Division, Saran.
3. The District Magistrate cum Collector, Gopalganj.
4. The Additional Collector, Gopalganj.
5. The Deputy Collector (Establishment), Gopalganj.
6. The District Employment Officer, District Employment Exchange, Gopalganj.
7. The Civil Surgeon, Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Respondent/s : Mr. Anirudh Kumar Singh, AC to GP-25

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 09-03-2018

The petitioners claim regularization against Class IV post under the Collectorate of Gopalganj and are aggrieved by the action of the District Magistrate, Gopalganj in not considering their claim in proper perspective.

Although the writ petition was filed on 17.3.2016 and a period of two years has lapsed but there is no counter affidavit.

Mr. Harendra Prasad, learned counsel appearing for the petitioners invites the attention of this Court to an order passed by this Court in the case of **Shambhu Prasad Baitha** arising from **CWJC No.1822 of 2016** to submit that in a similar issue raised the



matter was remitted for fresh consideration by the District Magistrate, Gopalganj and that the present writ petition can be disposed of on similar terms.

Having heard learned counsel for the parties and considering that even a period of two years has not been sufficient for the District Magistrate, Gopalganj to file his counter affidavit, I deem it proper to dispose of the writ petition in terms of the judgment and order of this Court passed in the case of **Shambhu Prasad Baitha** (supra) and the directions issued therein would be the guidance for the District Magistrate –cum- Collector, Gopalganj to consider the claim of the petitioners which should be considered and disposed of in accordance with law within a period of 3 months from the date of receipt/production of a copy of this judgment.

The writ petition is disposed of accordingly.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10-03-2018
Transmission Date	NA

