

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15158 of 2015

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Rakesh Kumar Rajesh son of Sri Jainandan Prasad resident of village - Mahadeiya, P.O. & P.S. Meenapur, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Secondary Education, Bihar, Patna.
3. The Deputy Director, Secondary Education, Patna.
4. The District Education Officer, Muzaffarpur through District Magistrate, Muzaffarpur.
5. The Head Master, Sri Ram Janki Project Balika Uchha Vidyalaya, Mahadeiya Meenapur, District - Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha
For the Respondent/s : Mr. Sc13- Arvind Kumar-1

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the order passed by the
Director, Secondary Education on 4.6.2010.

The claim of the petitioner for approval of the service
in Sri Ram Janki Project Kanya Uchha Vidyalaya, Muzaffarpur
has been rejected on the ground of below age.

The cut off date in the matter of consideration of
school was 1.4.1989. On 1.4.1989 the petitioner was 19 years
old and in that view of the matter the Court has no difficulty in
accepting the contention of the petitioner that on the relevant



date the petitioner was well within the zone of consideration as per age and as such rejection of the petitioner on 4.6.2010 on the ground of under age is unsustainable in law. The order contained in Annexure-7 rejecting the claim of the petitioner for approval as clerk is unsustainable. It is accordingly quashed.

The respondents are hereby directed to take fresh decision as petitioner was 19 years old on the cut off date and grant all consequential benefits accordingly.

Necessary decision in this may be taken within a maximum 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)

Ravi/-

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