

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13679 of 2014

=====

Vijay Kumar Singh, Son of Late Ram Chandra Singh, Resident of Village Patkhaulia, P.O.- Karma, P.S. Nasriganj, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna.
2. The Director, Secondary Education, Government of Bihar, Patna.
3. The Zila Parishad, Rohtas, Bihar through the Deputy Development Commissioner- cum- Chief Executive Officer, Zila Parishad, Rohtas.
4. The Deputy Development Commissioner- cum- Chief Executive Officer, Zila Parishad, Rohtas, Bihar.
5. The District Education Officer, Rohtas, Bihar.
6. The District Programme Officer (Estb.), Rohtas, Bihar.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Gyan Shankar, Advocate.

For the State : Mr. Raghwanand, GA-XI
Mr. Prabhat Kumar, AC to GA-XI

For the Zila Parishad : Mr. Srinivash Pandey, Advocate.

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 04-10-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well as Zila Parishad, Rohtas.

2. The contention of learned counsel for the petitioner is that on account of misconstruction of fact, the respondents are treating the petitioner ineligible for appointment. The respondents have treated the date of publication of results subsequent to 17.11.2008, which was the last date for submission of application, in fact the result of the petitioner of



B.Lib was published on 14.11.2008 and as such the result was published before the cut off date of 17.11.2008.

3. If that is the position, the respondents are required to rectify the mistake and consider the case of the petitioner for appointment. This writ application was filed on 07.08.2014 with two advance copies to the State and Zila Parishad. Unfortunately, even after four years have passed, they have not filed any counter affidavit.

4. In the aforesaid circumstances, this writ application is disposed of with direction to the respondents including respondent no. 4 to verify the record and if it is found that the result of the petitioner was published on 14.11.2008 and the last date for submission of application was 17.11.2008, the respondents authorities will consider the case of the petitioner as eligible candidate and pass appropriate order on the merit of the claim of the petitioner for appointment. Necessary decision with regard to appointment shall be taken within a maximum period of four months from the date of receipt/production of a copy of this order.

5. While taking decision, the respondents authorities will consider the fact that in the same academic sessions from the same institution other applicants having passed B.Lib.



Course have been considered and appointed on the said post.

(Anil Kumar Upadhyay, J)

sujiit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

