

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2740 of 2018

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1. Sanjeev Kumar, Son of Hari Narayan Singh, Resident of Village- Shitalpatti, Ward No.14, P.S.- Chiraiya, District- East Champaran.
 2. Awanish Kumar Sharma, Son of Ram Binod Sharma, Resident of Village- Saratha, P.S.- Dhaka, District- East Champaran.
 3. Dilip Kumar, Son of Kamal Deo Singh, Resident of Village- Shitalpatti, P.S.- Chiraiya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Govt. of Bihar, Patna.
3. The District Magistrate, East Champaran, Motihari.
4. The District Education Officer, East Champaran, Motihari.
5. The District Programme Officer, East Champaran, Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar, Advocate

For the Respondent/s : Mr. A. Bhushan, AC to GP-17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 16-03-2018

Heard learned counsel for the petitioners and State.

Learned counsel for the petitioners submits that the writ application may be disposed of in terms of order dated 02.03.2017 passed in M.J.C. No. 3829 of 2016 (Annexure-3).

The Division bench of this Court on consideration of the entire facts and circumstance held out as follows:

“We have considered the arguments sympathetically and we are of the view that the objection, as raised by the State, is legal, correct and valid. A person, who acquires eligibility subsequently, cannot participate in the selection process which has already started because, on the



day when the selection process started, he was ineligible. However, if upon completion of this exercise of recruitment, vacancies still survive, then, pursuant to the fresh selection process to be started, the petitioners should be considered in accordance with law.”

In view of the decision of the Division Bench, as contained in Annexure-3, the writ application is disposed of in the same terms, as indicated hereinabove.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	24.03.2018
Transmission Date	

