

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5420 of 2019

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Ram Nivas Kumar Son of Hari Kishore Sharma as posted Steno-III, Doordarshan Kendra, Muzaffarpur (Bihar), resident of Village- Salalpur, Police Station- Parwalpur in the District of Nalanda.

... .. Petitioner/s

Versus

1. The Union Of India through the Director General, Doodarshan, Doordarshan Bhawan, New Delhi.
2. The Director (Admn.), Officer of Director General, Doodarshan, Doordarshan Bhawan, New Delhi.
3. The Chief Executive Officer, Prasar Bharti, P.T.I. Building, 2nd Floor, Sansad Marg, New Delhi.
4. The Director, Doordarshan Kendra, Muzaffarpur.
5. The Deputy Director (Admn.)-cum- Station Director, Doordarshan Kendra, Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar, Advocate Mr. Navin Sharma, Advocate
For the Respondent/s	:	Mr. S.D. Sanjay, Ad. S.G. Mr. Rajesh Kumar Verma, C.G.C.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 26-03-2019

Heard learned counsel for the appellant. The appellant moved before the Tribunal claiming that his representation for being regularized/absorbed as a Librarian should be considered keeping in view the status of the post as also there being no loss to the department.

The learned Tribunal has, after assessing the facts,



clearly arrived at the conclusion that the post occupied by the petitioner is that of a Stenographer Grade III which is filled up by hundred per cent direct recruitment. Similarly the post of Librarian is also filled up hundred per cent by direct recruitment. Shri S.D. Sanjay, learned counsel for the Union of India, also states that the said post of Librarian is no longer in existence at Doordarshan Kendra, Muzaffarpur. Learned counsel submits that this post is available at other places.

Be that as it may, once the post has to be filled up by direct recruitment, the Tribunal was perfectly justified in declining relief as this would amount to lateral shifting of the petitioner which is not possible or permissible under the rules. Consequently, there is no merit in the petition.

The petition stands dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

K.C.Jha/Uma/-

AFR/NAFR	NAFR
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