

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.16500 of 2018**

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1. Ramdev Sharma S/o Sita Ram Sharma Resident of Mohalla- Maharooof Chak, P.S. Mojahidpur, District- Bhagalpur.
  2. Anchal Kumar Jha S/o Janardan Jha Resident of Village- Kantakosh, P.S. Manihari, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The District Magistrate, Katihar.
3. The Deputy Development Commissioner, Katihar.
4. The Deputy Collector, Establishment, Katihar.
5. The Civil Surgeon-Cum- Chief Medical Officer, Katihar.
6. The District Malaria Officer, Katihar.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Bhola Prasad, Advocate  
For the Respondent/s : Mr. Sanjay Kumar, AC to AAG-3

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      03-06-2019                      Petitioners in the present case are seeking a writ of mandamus commanding the respondents to act upon advertisement dated 11.02.2013 whereby the applications were invited for preparation of panel for appointment to the Class-IV Post in the Collectorate, Katihar and other offices and after preparation of panel, to regularize the service of the petitioners, who claimed that they are serving for a long time.

At this stage learned counsel for the petitioners has drawn attention of this court towards the judgment dated 19.06.2018 passed by learned Coordinate Bench in CWJC No.



15405/2016. It is submitted that the case of these petitioners are identical to the case of those 9 petitioners who had moved this court in CWJC No. 15405/2016, thus this writ application may also be disposed of in similar terms.

Learned counsel for the State submits that whether the case of these petitioners are identical to the case of those 9 petitioners or not would be a matter of fact which may be looked into only by the competent authority i.e. the District Magistrate, Katihar.

As agreed at the bar, this writ application is being disposed of with a direction to the District Magistrate, Katihar to look into the grievance of the petitioners in the present case and in case it is found that their case stand at similar footing with those 9 petitioners in CWJC No. 15405/2016, these petitioners would be granted the same benefit which have flown to those petitioners by virtue of judgment dated 19.06.2018.

Since the writ application is being disposed of without inviting a counter affidavit, it will be open for the District Magistrate, Katihar to consider the case independently on facts however in case of similarity with the case of those petitioners which have been allowed the benefit by virtue of court's judgment, the District Magistrate, Katihar shall grant the same



benefit to these petitioners. Let the whole exercise be completed within a period of three months from the date of receipt/production of a copy of this order.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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