

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5330 of 2016

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Jai Prakash Ram Son of Sri Hira Lal Ram Resident of village - Basuhadi,P.O.
Balua Bazar, P.S. Guthani, District - Siwan

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, Health Department,
Government of Bihar at Patna
2. The Director - in - Chief, Health Services, Bihar at Patna
3. The Chief Malaria Officer, Sultanganj, Patna
4. The District Magistrate, Siwan, District Siwan
5. The Establishment Committee, through its Chairman Cum District
Magistrate, Siwan, District - Siwan
6. The Civil Surgeon, Siwan, District - Siwan
7. The District Malaria officer, Siwan, District - Siwan

... .. Respondents

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Appearance :

For the Petitioner : Mr.Shailendra Kumar Dwivedi, Advocate
For the Respondents : Mr.Manoj Kumar Sinha AC to GA-7

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 07-11-2019

Heard learned counsel for the petitioner and
learned counsel for the respondent-State.

2.The petitioner is aggrieved by non inclusion
of his name in the panel prepared in the District of
Siwan, for regularization of Class-IV employees.

3. The State has come out with a stand in the
counter affidavit that the petitioner's registration in
the Employment Exchange (Annexure B to the
counter affidavit) is dated 26.10.2013. The
requirement, as per the advertisement, was that



the registration in the Employment Exchange was required to be made on or before 31.03.2013. On account of the later registration of the petitioner in the Employment Exchange, the claim of the petitioner has been rejected.

4. The petitioner's counsel submits that from his representation (Annexure-5), it is apparent that the petitioner's name was duly registered in the Employment Exchange in 2004 and again in 2007.

5. The submission of the State counsel are incorrect in view of the proof of registration brought on record by way of counter affidavit. The same has to be viewed with reference to the last date prescribed for registration.

6. On the other hand, the petitioner has relied upon the self serving statement made in his own representation. Even in the said representation, the Registration Number alleged to have been issued in 2004 or 2007 is not mentioned. Clearly, there is no basis to discard the stand of the State that petitioner's registration in the Employment Exchange was subsequent to the cut off/last date



prescribed for such registration, which is based on documents placed on records in the counter affidavit.

7. The registration of the petitioner in the Employment Exchange being subsequent to the requisite last date, there is no occasion for this Court to issue any direction for his empanelment.

8. The writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
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