

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6429 of 2015

1. Ramashray Harijan Son of Late Baharan Harijan resident of village - Suhayee, P.O. - Nonia Patti, P.S. - Sisawan, District - Siwan at present working as Senior Field Worker Shrestha Kshetriya Karyakarta, Malaria Department, Achal - Sisawan, District - Siwan.
2. Dhruvnath Harijan Son of Late Ram Chandra Ram resident of village - Mubarakpur, P.O. - Chainpur, P.S. - Siswan, District - Siwan at present working as Field Worker Kshetriya Karyakarta, Malaria Department, Anchal - Sisawan, District - Siwan.
3. Raja Kumar Ram son of Late Chandradeo Ram resident of village - Mubarakpur, P.O. - Chainpur, P.S. - Siswan, District - Siwan at present working as Field Worker Kshetriya Karyakarta, Malaria Department, Anchal - Sisawan, District - Siwan.
4. Shambhu Kumar Ram Son of Sri Kunwar Ram resident of village - Mubarakpur, P.O. - Chainpur, P.S. - Siswan, District - Siwan at present working as Kshetriya Karyakarta, Malaria Department, Anchal - Sisawan, District - Siwan.

... .. Petitioners

Versus

1. The State Of Bihar through the Principal Secretary, Health Department, Government of Bihar, Patna
2. The Principal Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna
3. The Director-in-Chief Health Services, Bihar, Patna.
4. The District Magistrate, Siwan.
5. The Establishment Committee through its Chairman, Collector-cum-District Magistrate, Siwan.
6. The Deputy Collector, Establishment, Siwan.
7. The District Malaria Officer, Siwan.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Umesh Kumar Mishra, Advocate
For the Respondents	:	Mr. Awanish Nandan Sinha, GP 21 and Nilotpal Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners as well as



learned counsel for the State.

Counsel for the petitioners relying upon the decision in the case of Baban Ram and others Vs. State of Bihar and others, passed in C.W.J.C.No. 8261 of 2011 submits that in the process of appointment of Grade IV employees in the District of Siwan they should be extended relaxation in age and weightage of experience acquired by them by working as seasonal employee of the Malaria Department.

Respondents no. 4, 5 and 6 have filed counter affidavit. Specific stand in paragraph 12 of the counter affidavit is as follows:-

“That, contents of para 17 to 19 of the instant writ petition are matters of record. It is reiterated that the answering respondents have already granted relaxation in age and weightage of experience as seasonal employees of Malaria Department by treating them as line Department.”

In view of the said stand taken by the respondent State in the counter affidavit no further direction needs to be issued as the respondents themselves have admitted the fact regarding granting relaxation in age and weightage of experience as seasonal employee of the Malaria Department.

Writ petition is disposed of.



It is needless to say that the respondents would be obliged to act in terms of their stand taken in the counter affidavit which has been taken note of.

(Madhuresh Prasad, J)

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