

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 6671 of 2015

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Banti Kumar Jha, S/o Late Damodar Jha, resident of village- Schindhiya
Makandpur, Naugachia, P.S.- Gopalpur, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of General Administration, Patna
2. Commissioner, Munger Division, Munger.
3. District Magistrate, Begusarai.
4. The Additional Collector (Establishment), Begusarai.

... .. Respondent/s

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For the Petitioner/s	:	Mr D K Sinha, Sr Advocate with Mr Abhinay Raj, Advocate
For the Respondent/s	:	Mr Vivek Anand Amritesh, AC to SC XX

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-04-2019 Heard learned Senior Counsel for the petitioner and
the respondent-State.

Learned Senior Counsel appearing for the petitioner submits that the petitioner is applicant pursuant to the policy initiated vide Advertisement published for appointment on Class IV post in the district of Begusrai in December, 2014. He is at serial No 2615 in the provisional select list dated 01.04.2015. The petitioner is aggrieved by the fact that in spite of his empanelment, the respondents have not taken any final decision in respect of the process initiated earlier. Petitioner has also filed a representation before the District Magistrate, Begusarai (Annexure 5 of the writ petition).

Learned counsel for the State places reliance on a



decision in the case of *State of Bihar -Versus- Umesh Jha & Others* in the proceedings arising out of *LPA No 427 of 2013* to contend that petitioner, in light of the decision of the Division Bench, is not entitled to any preferential treatment in respect of his age.

The grievance of the petitioner is limited that the process, initiated by Advertisement of December 2014, was required to be taken to its logical conclusion. The plea regarding preferential treatment would be subject to the decision of the Division Bench in the case of *State of Bihar -Versus- Umesh Jha (supra)*. However, the process was required to be taken to its logical conclusion.

Let the District Magistrate, Begusarai (respondent No 3) dispose of the petitioner's representation by a reasoned and speaking order in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

Writ petition stands disposed of.

(Madhuresh Prasad, J)

M.E.H./-

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