

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8980 of 2015

Sanjay Kumar Srivastava

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ranjit Jha, Advocate
For the B.S.S.C., Patna	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Anil Kumar, AC to SC-8

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-09-2019 Learned counsel for the petitioner submits that this Court, in the petitioner's earlier writ petition bearing CWJC No. 21571 of 2013 had directed for considering the petitioner's representation. The Magistrate, Madhepura while considering the petitioner's claim has not considered the fact that the petitioner was entitled to get weightage for working in the same department for two years. Accordingly, the petitioner has not been granted weightage and, therefore, he has been debarred in the process of selection for the post of Agriculture Coordinators in the State of Bihar.

Learned counsel for the respondents submits that from the order passed by the District Magistrate, Madhepura, pursuant to the directions of this court it is apparent that the petitioner was, in fact, appointed by an NGO and was not an employee of the department during the period for which he is



claiming weightage.

Petitioner's counsel further submits that the district authority has certified the petitioner's claim that he was engaged for two years in service, as per Annexure-2 of the writ petition.

On a specific query whether the petitioner is able to produce the appointment letter, the petitioner's counsel has submitted that the same is not on record. The certificate is without any basis as there is no appointment letter in support of his claim over which certificate has been granted. The certificate (Annexure-2) goes to show that in between 30.10.2010 to 10.06.2012, petitioner was working under an NGO which has been stated on the basis of findings recorded by the District Magistrate, Madhepura in their counter affidavit which also has not been denied by the petitioner by filing any reply to counter affidavit, though copy of the counter affidavit was served on the petitioner's counsel long back.

No case is made out for exercise of Jurisdiction in favour of the petitioner.

The writ petition is dismissed.

(Madhuresh Prasad, J)

Rajeev Kumar/-

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