

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5913 of 2019

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Manish Kumar, S/o Ashok Kumar Sah Resident of Village- Navtoliya Near,
P.S. Tank, Laheriasarai, Balbhadarpur, P.S. Balbhadarpur, District-
Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Mission Director, Bihar Prashasnik Sudhar Mission Society, General Administration Department, Government of Bihar Patna.
4. The Director, Information and Public Relations Department, Government of Bihar, Patna.
5. The District Magistrate, Madhubani.
6. The District Information and Public Relation Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha
For the Respondent/s : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 17-04-2019 Heard the learned counsel for the petitioner and

the State.

2. The petitioner has approached this Court for a

direction to the respondent, particularly Respondent No. 5,

viz the District Magistrate, Madhubani to take re-examination

of the petitioner for the post of Executive Assistant which

was held on 24.11.2018, but which process could not be

completed because of technical problem occurring in the

computer software programme.



3. It is the case of the petitioner that similar problem has arisen with respect to the appointment process in the district of Darbhanga, where on finding that the problem was not attributable to the examinees, a fresh / re-examination was taken. However, in the district of Madhubani, no such re-examination has been ordered.

4. Learned counsel for the State, however, has submitted that the petitioner having failed in the test has approached this Court, taking shelter of the problem in computer software programme for a brief-while.

5. In any view of the matter, the representation which has already been filed by the petitioner before the District Magistrate, Madhubani needs to be disposed off.

6. The petitioner is directed to make a fresh representation before the District Magistrate, Madhubani, detailing his grievances and urging the reasons why the petitioner be put to re-examination and if the petitioner is able to substantiate his grounds, a reasoned order shall be passed by the District Magistrate, Madhubani within a period of six weeks of the receipt of such a representation.



7. It is made clear that only if the District Magistrate, Madhubani finds the claim of the petitioner to be tenable, such application shall be entertained.

With the aforesaid observation / direction, this petition stands disposed off.

(Ashutosh Kumar, J)

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