

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14725 of 2014

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Gajendra Kumar son of Late Suresh Ram resident of village Bhadauli, P.O. Pator, P.S. Asavan, District Siwan.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The District Magistrate, Siwan, District Siwan.

... .. Respondent/s

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Appearance :

For the Petitioner/s : None
For the Respondent/s : Mr.Md. N. Hoda Khan, SC I

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 03-09-2019 Writ petition has been filed seeking direction upon respondent no.2, District Magistrate, Siwan to review his decision dated 18.01.2014 whereby petitioner has been placed in group “D” category on compassionate basis whereas one Birbahadur Singh whose case is similarly situated as that of the petitioner has been appointed on group “C” category on compassionate ground. Discrimination is alleged.

State counsel submits that as per departmental rules, along with four candidates, petitioner was also allowed to participate in the test for placement in group “C” category on compassionate ground. Petitioner failed in computer/typing test as he secured 29 marks whereas cut off mark was 30 out of 100 marks.

Having failed in the test for appointment of group “C”



post departmental rules provide that the petitioner be appointed on group “D” which has been given to the petitioner on compassionate ground.

Specific averment to this effect made in the counter affidavit has neither been denied or disputed by counsel for the petitioner, though copy of counter affidavit appears to have been served to counsel for the petitioner on 19.01.2015 itself.

Today when the matter was called out, none appears for the petitioner.

Without going into the merit of the submission, and since none appears on behalf of the petitioner, writ petition is dismissed for non-prosecution.

(Madhuresh Prasad, J)

s.hassan/-

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