

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 10544 of 2013

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Paras Ram, Son Of Phaguni Ram, Resident Of Village - Purvi Bhelari, P.O.
Purvi Bhelari, P.S. - Natwar, District - Rohtas

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Family and Social Welfare Department, Government of Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram
3. The Sub-Divisional Officer, Bikramganj, District - Rohtas
4. The District Programme Officer, Rohtas
5. The District Welfare Officer, Rohtas
6. The Block Development Officer, Dinara, District Rohtas
7. The Block Welfare Officer, Dinara, District - Rohtas
8. The Bihar Mahadalit Vikash Mission, through its Nodal Officer, 4, Deshratna Marg, Patna
9. Sri Bhagwan Ram, Son Of Baban Ram, Resident Of Village - Arang, P.O. - Basdihan, P.S. - Dinara, District - Rohtas

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Bibhakar Tiwary, Advocate
For the S t a t e	:	Mr Umesh Narayan Dubey, AC to GP XXVII
For Respondent No 9	:	M/s Jitendra Kr Ray, Sumit Kr, Advocates

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 19-11-2019

Heard learned counsel for the petitioner, State and respondent No 9.

2 The petitioner was a participant in the process of selection of Vikas Mitras which was conducted for the entire Sub Division of Bikramganj pursuant to Advertisement issued in the year, 2010 for Maha Dalit candidates. He complains before this



Court that he was not under intimation of the date fixed for counselling (15.03.2010). It is his submission that due to non-communication of the date for counselling, he has been deprived of being considered in the process of selection. Prior to counselling, he was at Serial No 1 in the merit list, however, on account of such deprivation, the 05th empanelled candidate, private respondent No 9 has come to be selected in the process of counselling. Annexure 2 is the representation of the petitioner filed before the Authorities alleging that he could reach the place only on 16.03.2010, i e, one day after the scheduled date of counselling and, therefore, he has missed the opportunity.

3 The Block Development Officer concerned as well as the Sub-Divisional Officer have filed separate counter affidavits. They have placed on record the fact that 15.03.2010 was the date of counselling for all participants of all the 22 Panchayats under Dinara Block in the Subdivision. All participants were knowing about the said date and the date was duly notified on the Notice Board of the concerned Block Office. The State Authorities have also brought on record one representation filed by the petitioner (Annexure A to the counter affidavit filed on behalf of respondent No 6) to show that it was on account of illness of the petitioner's daughter that he was away on 15.03.2010 as per his own



representation. The same is also at variance with the claim of the petitioner, as contained in Annexure 2 of the writ petition, wherein he claimed that he came to know later about the date being 15.03.2010. However, in his representation (Annexure A to the counter affidavit), he has accepted that 15.03.2010 was the last date fixed in the process. The claim of the petitioner is at variance in these two representations submitted by him and strikes at the root of credibility of the claim raised on his behalf. Further, this Court would find that the Authorities, in the counter affidavit, have placed on record the registers and made specific averments regarding counselling being done throughout the Subdivision on 15.03.2010 after due notice on the Notice Board in the Block Office.

4 In the circumstances, this Court does not find any reason to interfere with the process of selection in question.

5 Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.11.2019
Transmission Date	NA

