

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6405 of 2016

1. Kabuli Yadav son of Jageshwar Yadav resident of village Dobatiya, P.S. Barhat, Dist. Jamui.
2. Arjun Yadav s/o Phuleshwar Yadav resident of village Bhauratanr P.S. Gidhaur, Dist. Jamui.
3. Dhaneshwar Yadav s/o late Biro Yadav resident of village Mahuli Garh P.S. Khaira, Dist. Jamui.
4. Bhuneshwar Yadav son of Jageshwar Yadav resident of village Dobatiya, P.S. Barhat, Dist. Jamui.

... .. Petitioners

Versus

1. District Selection Committee, Jamui through its Chairman cum District Magistrate, Jamui
2. Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. Divisional Commissioner, Munger Division, Munger.
4. District Magistrate cum Chairman, District Selection Committee, Jamui.
5. District Agriculture Officer, Jamui.
6. Nazarat Deputy Collector, Jamui.

... .. Respondents

Appearance :

For the Petitioners : Mr.Prabhat Ranjan Singh, Advocate
For the Respondents : Mr.Nilotpal Sharma AC to GP-21

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 21-11-2019

Heard learned counsel for the petitioners and learned
counsel for the Respondent-State.

Petitioners' counsel refers to the orders passed in
C.W.J.C.No. 15196 of 2004 as also in L.P.A. No. 709 of 2006
and relying upon the same, submits that petitioners are being
discriminated against. Their candidatures are not being
considered as they have been held to be overage. The other



persons who had applied in 2013 and 2014 and, also were overage have been referred for relaxation in the upper age limit. He also places reliance upon the cases of Ravindra Singh, Ram Ashish Singh and Prem Kumar. It is his submission under letter dated 03.11.2014, bearing Memo No. 725, the said persons have also been recommended for relaxation even though they were overage. The claim for parity with the said persons and grant of relaxation is an issue which is required to be considered by the District Magistrate, Jamui. The order dated 23.04.2018, passed in C.W.J.C.No. 1314 of 2015, reads as under:

“The writ petition is disposed of with a direction to the District Magistrate, Jamui to consider the claim of the petitioner in light of the recommendation dated 03.11.2014 (supra) and pass a reasoned and speaking order in respect of claim of the petitioner in accordance with law.”

This takes care of the claim of petitioner no.1. In so far as petitioners No. 2 to 4 are concerned, the counsel for the petitioners fairly submits that none below the said petitioner from the panel has been selected as per the select list brought on record (Annexure -A/1 to the counter affidavit filed in 5865 of 2016 to the counter affidavit).

In view of the admitted position that none below the petitioners in the panel has been selected, the writ petition, in so



far as the petitioners No. 2, 3 and 4 are concerned, stands dismissed.

The District Magistrate-cum -Chairman, District Selection Committee, Jamui (Respondent No.4), however, shall proceed to consider the claim of the petitioner No.1 in light of the observation recorded hereinabove.

The writ petition stands disposed off.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	05.12.2019
Transmission Date	N/A

