

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17426 of 2019

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Munna Kumar, S/o Ram Lakhan Ram, r/o Vill.- Kusha, P.O. and P.S.- Narhat,
Distt.- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Engineering Department, Govt. of Bihar, Patna.
2. The District Magistrate, the Chair Person of the Selection Committee, Nawada.
3. The Social & Development & Communication Specialist, SPMC (the State Project Management Committee), Patna, Bihar
4. The Procurement Specialist SPMU (the State Project Management Unit), Patna, Bihar
5. The Executive Engineer cum DPM (District Project Management) DPMU (District Project Management), Nawada
6. The DTO (District Transport Officer) Nawada
7. The Superintendeing Engineer PHE (Public Health Engineering), Circle, Gaya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj, Advocate.
For the Respondent/s : Mr. Bijay Kr. Sinha, A.C. to AAG-V

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 18-10-2019

Heard learned counsel for the parties.

2. The petitioner is aggrieved by final result dated 04.02.2019 published for appointment against single post of Procurement Specialist under *Neer Nirmal Pariyojana*, District Project Management Unit, Nawada, under the Public Health Engineering Department. The petitioner has been placed at Sl. No. 3 of the merit list. It is evident from Annexure-1 itself, that five years of work experience was the minimum eligibility criteria for



appointment against the said post. The petitioner did not have the said experience of five years rather he had experience of less than three years on the date of making of the application.

3. Learned counsel appearing on behalf of the petitioner has submitted that the person placed at merit Sl. No. 1 was appointed, but, he has resigned and, therefore, the petitioner should be considered for the said post.

4. The relief which the petitioner is seeking, cannot be granted for two reasons; firstly, once on the basis of a selection process, a person was appointed there cannot be any direction issued by this Court asking the respondents to appoint the petitioner against the post becoming vacant consequent upon resignation and secondly, since the petitioner did not have the minimum requisite work experience, he could not be even considered for appointment against the said post.

5. I do not find any merit in the application.

6. This writ application is, accordingly, dismissed.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19/10/2019
Transmission Date	N.A.

