

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 5595 of 2015

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1. Saryug Prasad Sah, Son of Late Hinsu Sah Resident of Village- Dabhra, Police Station- Tarabari, District- Araria.
 2. Dinesh Prasad Yadav Son of Sri Shahdeo Yadav Resident of Village- Pramanandpur, Police Station- Raniganj, District- Araria.
 3. Brij Mohan Thakur Son of late Sukhdeo Thakur Resident of Village- Kakurwa, Ward No- 21, Police Station- Araria, District- Araria.
 4. Md Sadrul Ansari, son of Gaffur Ansari Resident of Village- Fakirna, Police Station- Forbesganj, District- Araria.
 5. Md Juber Alam, son of Late Md Jahangir Resident of village- Azadnagar, Ward No.- 20, Police Station- Araria, District- Araria.
 6. Parmanand Sharma, son of Dhorhai Sharma, Resident of village- Maigra, Police Station- Kursakanta, District- Araria.
 7. Jai Prakash Singh son of Hari Narayan Bishwas resident of village- Kushiyargown, Police Station- Araria, District- Araria.
 8. Sakir son of Late Nasir Resident of village- Gaiyari Sisona, Police Station- Araria, District- Araria.
 9. Md. Mohiuddin son of Late S K Karu Resident of village- Sisona, Police Station- Gaiyari, District- Araria.
 10. Md Alam son of Md Sirajuddin Resident of village- Rahmatgang, Police Station- Araria, District- Araria.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary having his office in Old Secretariat, Police Station – Sachiwalaya, District - Patna
2. The Commissioner, Purnea Division, Purnea, Having his office at Purnea Commissionery, Purnea.
3. The District Collector and District Magistrate, Araria.
4. The Additional Collector, Araria in Super Charge of District Establishment Section Collectorate, Araria.
5. The Establishment Deputy Collector, Araria.
6. The Office Superintendent Collector, Araria.
7. The Commissioner-cum-Secretary, The Personal and Administrative Reforms Department, Patna having his office at Old Secretariat, Police Station – Sachiwalaya, District - Patna
8. The Secretary, Board of Revenue, Patna having his office at Old Secretariat, Police Station- Sachiwalaya, District - Patna
9. The Secretary, Health and Family Welfare Department, having his office at New Secretariat, Patna.
10. The Chief Medical Officer-cum-civil Surgeon, Araria (Purnia).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	M/s Siya Ram Shahi, Arun Kr Bhagat, Advocates
For the State	:	Mr K P Yadav, GP XI with Mr Umesh Kumar Roy, AC to GP XI



CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 19-02-2019

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

2 The grievance of the petitioners is that pursuant to the Advertisement issued on 11.07.2013 for preparing the panel for appointment by way of regularization in the Collectorate at Araria, the petitioners' claim has not been considered.

3 Learned counsel for the State, relying upon the proceedings of the Committee constituted for the said purpose dated 13.08.2014, submits that for various reasons, including non-submission of applications/objections in time, various candidates were not considered. The pleadings do not disclose the specific reason for non-consideration of the petitioners' case. The general proceedings, adopted by the Department, have been placed on record.

4 Petitioners, on the other hand, have placed on record their objections which bear receiving up to 15.07.2014 that is the last date for submission of objection.



5 Neither of the parties is aware of the current position whether the panel is subsisting or lapsed. It is only submitted that the panel has been prepared in the year, 2014.

6 In the aforesaid circumstances, this Court would observe that the petitioners are entitled to consideration of their objections brought on record by way of Annexure 10, in case the process of selection is still going on. If the process, however, has concluded or the panel lapsed, needless to say, petitioners would be entitled to consideration of their claim in the subsequent process as per the prevalent Rules and in accordance with law.

7 The writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.02.2019
Transmission Date	NA

