

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7002 of 2016

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Shailendra Kumar Son of Sri Faudi Yadav resident of Village - Lagma, P.O. -
Amrath, P.S.- Jamui, District - Jamui.

... .. Petitioner

Versus

1. The State Of Bihar through the Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Patna
3. The Divisional Commissioner, Munger Division, Munger.
4. The District Magistrate-cum-Collector, Jamui.
5. The Deputy Collector (Establishment), Jamui.
6. The Additional District Magistrate, Jamui.

... .. Respondents

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Appearance :

For the Petitioner : Mr.Bharat Lal with Mr. Rbindra Kumar, Advocates
For the Respondents : Mr.Gp6- Prashant Pratap

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 21-11-2019

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

The counsel for the petitioner submits that the claim of
the petitioner for regularization may be considered in light of
the orders passed in C.W.J.C. No. 2288 of 2016 and
C.W.J.C.No. 2639 of 2016 (Annexure-7 to the supplementary
affidavit). Learned counsel for the petitioner further submits
that he was much above the petitioners of the said writ petitions
as his position in the panel was at Sl. No. 654 which is annexed
as Annexure-2 to the writ petition).



Upon remand by this Court in the said two writ proceedings, relied upon by the petitioner, what has been the fate of the said persons is not on the record. If the said two persons have been regularized/appointed and they are lower than the petitioner in the panel prepared and, otherwise their candidature is inferior to that of the petitioner, the petitioner may have a claim for regularization. The issue, therefore, has to be considered by the District Magistrate, Jamui.

The writ petition is , accordingly disposed off. The District Magistrate-cum-Collector, Jamui, (Respondent-4) should consider the petitioner's claim, in accordance with law, having regard to the orders passed in the two writ petitions, taken note of hereinabove, within a period of three (03) months from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

shyambihari/-

AFR/NAFR	NAFR
CAV DATE	N/A
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