

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1878 of 2019

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Savita Devi W/o kamlesh Paswan R/O Village-Belanv Police Station
-Nawanagar,District -Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary Food and Civil Supply,Govt Of Bihar,Patna.
2. The District Magistrate ,Buxar.
3. The District Supply Officer,Buxar.
4. The Sub-Divisional Magistrate, Dumraon,Buxar.
5. The District Information and Technology Officer,Buxar.
6. Sri Radhika Kumari W/o Sri Lalji Ram R/o Village-Belanv,Police Station Nawanagar, District Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Bakshi SRP Sinha,Sr. Adv.
For the Respondent/s : Mr.Alok Ranjan, AC to AAG 5

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-02-2019 Heard learned Senior Counsel for the petitioner and

learned AC to AAG 5.

The case of the petitioner is that respondent no.6 has been appointed even though she had submitted her application much after the prescribed date. It is his further submission that in the selection list the name of the petitioner appeared at Serial No.1 in the category of Scheduled Caste Mahila but then, the selection has been made of respondent no.6.

On the other hand, Mr. Alok Ranjan, learned AC to AAG 5, submits that these aspects of the matter may be still looked into and considered by the District Magistrate, Buxar



who is the head of the selection committee. It is submitted that although, Annexure '2' series shows that at one point of time, the petitioner had represented before the District Magistrate, Buxar against receipt of applications beyond the prescribed date but then she has not made any complaint against the final selection of respondent no.6, thus, at this stage, instead of entertaining the writ application, direction may be given to the District Magistrate, Buxar that in case the petitioner submits a representation/objection with regard to the appointment of respondent no.6, the same may be considered in accordance with law.

After hearing learned Senior Counsel for the petitioner and learned AC to AAG 5, this Court is of the considered opinion, that at this stage, instead of calling for a counter affidavit from the State, considering the fact that the petitioner has not yet represented or has submitted her objection before the District Magistrate, Buxar, liberty is granted to her to submit a representation/objection within a period of four weeks from today with the District Magistrate, Buxar. In case such a representation/objection is filed within the aforesaid period, the District Magistrate, Buxar shall examine each and every contention of the petitioner and shall pass a reasoned order



thereon within a period of three months from the date of receipt/production of a copy of this order.

In case, the decision of the District Magistrate, Buxar is likely to effect the private respondent no.6, he would give an opportunity of hearing to her as well before passing any order within the aforesaid period.

The writ application stands disposed of, accordingly.

(Rajeev Ranjan Prasad, J)

R.R.Ojha/-

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