

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.38 of 2018

Arising out of

Civil Writ Jurisdiction Case No.5614 of 2013

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Vijay Kumar, Son of Late Rambali Singh, Resident of Village and P.O.-
Badahi Jagdish, P.S.- Purahia, District- Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
Namely Sri Anjani Kumar.
2. The Principal Secretary, General Administration Department, Government
of Bihar, Patna namely Sri Amir Subhani.
3. The Commissioner, Patna Division, Patna namely Sri Anand Kishore.
4. The District Magistrate, Patna namely Sri Sanjay Kr. Agrawal.
5. The Additional District Magistrate, I/C IVth Grade Appointment Committee,
Patna namely Sri Pankaj Kumar.
6. Dy. Collector Establishment, Patna Collectorate, Patna namely Sri Manoj
Kumar.
7. Ram Pravesh Rai, Son of Late Banwari Rai, Resident of Danapur, Gola
Road, P.O. Imlitar, P.S. Danapur, District – Patna.
8. Vijay Kumar Gupta, Son of Late Ram Dayal Sah, Resident of Indra Nagar,
Road No. 2, Postal Park, Patna.
9. Om Prakash Saw, Son of Ram Lagan Saw Resident of Village - Navdih,
Dhobia Kalapur, Naubatpur, District – Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate

For the State : Mr. Sanjay Kumar ‘Ghosarvey’, AC to AAG 3

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**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 19-09-2019

Heard learned counsel for the petitioner and learned AC
to AAG 3 for the State.



2. The petitioner has moved the Court alleging willful and deliberate disobedience of the order dated 30.08.2017 passed in CWJC No. 5614 of 2013, by which an exercise was directed to be carried out by the District Magistrate, Patna with regard to the preparation of panel relating to appointment on Class IV posts in the district.

3. The opposite parties have filed show cause in which the proceeding of the meeting dated 08.12.2018 has been brought on record which indicates that there were only seven vacancies and the petitioner could not be considered being at Serial No. 45 because posts were not available.

4. Learned counsel for the petitioner submitted that he has material to show that there were more than sufficient posts and the plea of the same not being available is absolutely incorrect.

5. Copy of the show cause has been served on learned counsel for the petitioner on 21.01.2019 and till date nothing having been brought on record to indicate that there were more vacancies available to be filled up, the Court would not proceed in the matter of alleged contempt.

6. Accordingly, the application stands disposed off.

7. However, it shall be open for the petitioner to move before the appropriate forum, in accordance with law, if there are



materials to show that what has been stated on oath in the present proceeding is false as also with regard to any claim which the petitioner may have with regard to the merits of the matter.

(Ahsanuddin Amanullah, J)

Anjani/-

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