

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23028 of 2019

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Manoj Kumar, Son of Sri Kameshwar Prasad, Resident of Mohalla-
Commissionaire Bazar Pulpar, P.S. + District- Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Revenue Department,
Government of Bihar, Patna.
2. The Commissioner, Munger Division, Munger.
3. The District Magistrate, Sheikhpura.
4. The Incharge Officer, District Establishment, Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sharma
For the Respondent/s : Mr.Sajid Salim Khan (SC25)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 16-12-2019 Heard both sides.

The petitioner in this writ petition seeks quashing of order as contained in memo No.287 dated 06.06.2019(Annexure-12) by which the In-charge District Establishment Section, Sheikhpura communicated the petitioner that the recommendation as contained in Letter No.1050 Lok Seva Ayog dated 16.01.2013 for appointment on the post of Clerk, notice was given to the successful candidates as contained in Memo No.147 dated 16.02.2004 to appear with the Certificates on 21.02.2004 before the Additional Collector, Sheikhpura but the petitioner did not appear. Several reminders were sent and ultimately the petitioner was asked to appear for



verification of Certificates on 30.06.2008 before the District Magistrate, Sheikhpura but the petitioner did not appear. Now the panel became non-existent, therefore, any request made by the petitioner to allow him to join on the post of Clerk cannot be entertained.

Mr. Dinu Kumar, learned counsel for the petitioner submits that the petitioner was duly selected in pursuance of an Advertisement issued by the Bihar Public Service Commission vide Advt. No.54 of 1998 for appointment to the post of Clerk in 1st Regional Service Competitive Examination. The result was published. The petitioner received notice as contained in Memo No.323 dated 30.01.2003 issued by the Additional Collector, Sheikhpura on 26.03.2003 with all documents. Petitioner also received office order as contained in Memo No.147 dated 16.02.2004 to appear for verification of all documents and to join and ultimately the petitioner was served with Memo No.393 dated 29.05.2008 issued under the signature of Deputy Collector(Establishment), Sheikhpura regarding verification of Certificates of the recommended candidates in 1st Regional Service Competitive Examination held by Bihar Public Service Commission but the petitioner has not been appointed. It is submitted that a sympathetic view be taken and a direction be



issued to the respondents to appoint the petitioner.

Learned counsel for the State submits that the panel prepared in the year 2003 lasted till 31.10.2009 and the petitioner was served with many memos since 2003 to 2008 to appear before the authority for verification of Certificates and joining but petitioner never appeared. The petitioner moved this Court only after ten years from the date of expiry of the life of the panel on 31.10.2009 and the petitioner filed this petition which cannot be entertained on the ground of delay itself.

Having considered the submissions of both sides, I find that Bihar Public Service Commission conducted the examination for appointment on the post of Clerk in pursuance of Advt. No.54 of 1998 in the Regional Government Offices. The petitioner was selected and panel was prepared in the year 2003. Immediately thereafter the petitioner was noticed to appear for verification of the Certificates and joining. Several letters were sent to the petitioner for verification of Certificates and joining till the year 2008 but petitioner never appeared. The panel expired that too in the year 2009 but even then the petitioner did not appear and submit his joining. After ten years from the date of expiry of the panel, direction cannot be issued and on the ground of limitation alone, this writ petition is fit to



be dismissed.

Having considered the facts aforesaid, I find no merit
in this writ petition. Accordingly, the same is dismissed.

(Prabhat Kumar Jha, J)

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