

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1253 of 2020

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Sarika Kumari daughter of Patha Pandit, resident of Baldeo Bhawan Road,
Phulwari, Patna-800023

... .. Petitioner

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna
3. The District Magistrate, East Champaran
4. The Deputy District Commissioner, East Champaran
5. The District Agriculture Officer, Motihari, East Champaran
6. The Assistant Director, Horticulture, East Champaran, Motihari
7. The District Animal Husbandry Officer, East Champaran, Motihari
8. The S.D.C. East Champaran, Motihari
9. The Project Director ATMA East Champaran, Motihari

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Lakshman Lal Pandey
For the Respondent/s : Mr.Ashok Kumar Pathak (Gp21)

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 03-03-2020 Heard learned Counsel for the petitioner as well as

learned State Counsel.

The petitioner has participated in the process of selection being done for Assistant Technical Manager. It is his submission that his initial position in the merit list (Annexure 3) has been subsequently altered to his disadvantage.

The authorities have filed a counter affidavit dealing with the petitioner's grievance. The specific averment is that position of respondent No. 9 had to be rectified as though he



was a member of the EBC category he was wrongly treated as member of the BC category. By giving him his due category, his position in the merit list has changed. In so far as another candidate namely Priyanka Kumari, it is the specific averment of the respondents that due to typographical error her marks had been shown as 57.22 marks though she had obtained 67.22 points (marks). By granting her the due marks her position has also improved in the merit list. It is the result of this exercise that the petitioner who had obtained 61.38 marks has been given his due position.

The averments made in the counter affidavit have neither been denied nor disputed by filing any rejoinder/reply thereto. Copy of the counter affidavit was served on the petitioner on 27.2.2020.

The authorities have clarified the position and therefore there is no scope for any orders to be passed in the instant proceeding, exercising jurisdiction under Article 226 of the Constitution of India.

The writ petition is dismissed.

(Madhuresh Prasad, J)

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