

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.1388 of 2018**

**In**  
**Civil Writ Jurisdiction Case No.13780 of 2015**

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Kamlesh Paswan Son of Late Banshidhar Paswan, Resident of Village-Sakari,  
Post Office and Police Station-Kudra, District-Kaimur Bhabua.

... .. Appellant

Versus

1. The State Of Bihar through the Principal Secretary, Agriculture Department,  
Patna
2. The Director of Agriculture, Bihar, Patna.
3. The Deputy Director of Agriculture, Patna Division, Patna.
4. The Joint Director of Agriculture, Patna Division, Patna.
5. The District Magistrate, Kaimur, Bhabua.
6. The District Agriculture Officer, Kaimur at Bhabua.
7. The Sub Divisional Agriculture Officer, Bhabua at Kaimur.

... .. Respondents

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**Appearance :**

For the Appellant/s : Mr.Ashok Kumar Garg, Adv.  
For the Respondent/s : Mr.Sarvesh Kumar Singh, AAG-13

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA**

**and**

**HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR. JUSTICE HEMANT KUMAR  
SRIVASTAVA)**

**Date : 08-01-2020**

Heard the parties.

The appellant was working as driver on daily basis in  
the office of District Agriculture Officer, Kaimur but subsequently,



he was restrained from his work by the then District Agriculture Officer, Kaimur. In the meantime, an advertisement for appointment of Class-IV employees in the office of District Magistrate, Kaimur was published in the year 2015 and the appellant also applied for the above stated Class-IV post.

The appellant came before this court by filing CWJC No. 13780 of 2015 claiming regularization of his service on the post of driver as well as for issuance of direction to concerned authorities not to restrain him from working on the post of driver in the office of District Agriculture Officer, Kaimur. The learned Single Judge dismissed the writ petition passing the impugned order dated 21.08.2018, which has been challenged by the appellant before this appellate court.

Learned counsel appearing for the appellant submits that appellant was working as driver since the year 2010 and the appellant only wants that at the time of selection of Class-IV employees preference should be given to the appellant.

Considering the aforesaid submissions as well as facts and circumstances of the case, we do not think it proper to interfere into the findings given by the learned Single Judge and accordingly, this appeal stands dismissed. However, it is made



clear that selection process of Class-IV employee shall be made in  
accordance with law.

**(Hemant Kumar Srivastava, J)**

**( Prabhat Kumar Singh, J)**

shahzad/-

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