

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1925 of 2020**

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1. Md. Khurshid Alam Son of Sekh Khalil Resident of Village- Dahiya Kamaldaha, P.S.- Araria, District- Araria.
2. Md. Zahid Hussain Son of Md. Yahiya Resident of Village- Gaiyari Sisauna, Ward No.06, Araria, P.S.- Araria and District- Araria.

... .. Petitioners

Versus

1. The State of Bihar through the Principal Secretary, Peritoneal and Administrative Department having its office in Old Secretariat, P.S.- Sachivalaya, District- Patna.
2. The Commissioner, Purnea Division, Purnia having its office at Purnea Commissionery, Purnia.
3. The District Collector cum District Magistrate, Araria.
4. The Additional Collector, Araria in Super Charge of District Establishment Section Collectorate, Araria.
5. The Establishment Deputy Collector, Araria.
6. The Office Superintendent Collector, Araria.
7. The Commissioner-cum-Secretary, The Personal and Administrative Reforms Department, Patna having his office at Old Secretariat, P.S.- Sachivalaya, District- Patna.
8. The Secretary, Board of Revenue, Patna having his office at Old Secretariat, P.S.- Sachivalaya, District- Patna.
9. The Secretary, Health and Family Welfare Department, having its office at New Secretariat, Patna.
10. The Chief Medical Officer-cum-Civil Surgeon, Araria (Purnia).

... .. Respondents

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**Appearance :**

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| For the Petitioner/s | : | Mr.Kumar Kaushlendra     |
| For the Respondent/s | : | Mr.Md. Nadim Seraj (Gp5) |
|                      |   | Ms. Shalivi              |

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

2      20-02-2020                      Heard learned Counsel for the petitioners and the learned Counsel for the respondent State.

The petitioners have assailed decision dated 5.10.2018 of the District Magistrate, Araria, rejecting the petitioners' claim for regular appointment based on their empanelment in the panel



prepared in the year 2014-15.

The order of the Collector has been passed since this Court in CWJC No. 6680 of 2017, earlier filed by the petitioners, had directed the Collector to pass a reasoned and speaking order considering petitioners' claim.

Counsel for the petitioner submits that the juniors of the petitioners from the said panel had been given appointment ignoring their legitimate claim. It is also his submission that there are many vacancies remaining in other departments.

Referring to the order of the Collector dated 5.10.2018, learned Counsel for the State submits that the Collector has referred to a decision of the Chief Secretary, Government of Bihar dated 3.12.1980 bearing No. 16441 communicating that life of the panel should not be prolonged beyond one year. In view of such government decision any claim for regular appointment on the basis of panel of 2014-15 now cannot be considered. It is further pointed out that the Collector in the order has specifically said that the petitioners' allegation that persons have been offered appointment from the said panel is incorrect, as no such offer of regular appointment has been made to anyone in the year 2018 on the basis of panel of 2014-15.

This fact is not disputed by the petitioners. Counsel for the petitioners however submits that under the orders of this Court certain persons who were empanelled in the same panel were offered regular appointment.

The order referred to by the petitioners' Counsel is in respect of the petitioner who had approached this Court much earlier in the year 2008 though the order seems to have been passed in 2017.

The claim of the petitioner therefore cannot derive any sustenance from the regular appointment offered to others under the orders of this Court in a proceeding which was diligently pursued by the petitioners in the year 2007 itself.



No enforceable claim is made out in the writ petition.  
This application is dismissed.

**(Madhuresh Prasad, J)**

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