

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10686 of 2020**

Ashok Kumar, son of Sri Umakant Sah, resident of Village - Madarganj, P.S. -  
Amdanda, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, General Administration Department, Bihar, Patna.
3. The Commissioner Bhagalpur, Division Bhagalpur.
4. The District Establishment Committee through its Chairman, Bhagalpur.
5. The Chairman, District Establishment committee, Bhagalpur.
6. The Deputy Secretary, General Administration, Bihar, Patna.
7. The Collector Cum- District Magistrate, Bhagalpur.

... .. Respondent/s

**Appearance :**

|                      |   |                                        |
|----------------------|---|----------------------------------------|
| For the Petitioner/s | : | Mr. Devendra Kumar Sinha, Sr. Advocate |
|                      |   | Mr. Abhinay Raj, Advocate              |
| For the Respondent/s | : | Mr. Lalit Kishore ( AG )               |

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      06-04-2021                      Heard learned counsel for the petitioner and the respondents.

Mr. D. K. Sinha, learned senior counsel for petitioner submits that the respondents have prepared a panel but at the stage of making appointment they are departing from settled practice and not acting upon the panel. They have come-out with a new Rule and new selection process for appointment of Class-IV through the Staff Selection Commission. He submits that such action of the respondent is illegal and arbitrary.

Considering the fact that the rule has undergone a change, the selection process for the post of Class-IV employee



is required to be completed by the Staff Selection Commission, the Court is not inclined to issue any positive direction in favour of the petitioner. However, the court is of the considered view that the petitioner, who has worked as daily wager and was empaneled for appointment on regular basis, he is entitled to at least one time age relaxation through Staff Selection Commission in the matter of appointment on Class-IV.

In view of the change circumstance, the writ application is disposed of with a direction to the respondents to grant one time age relaxation to the petitioner so that his case may be considered for regular appointment by the Staff Selection Commission for the post of Class-IV employees.

With the aforesaid observations and directions, the writ application stands disposed of.

**(Anil Kumar Upadhyay, J)**

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