

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14397 of 2018

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1. Deepak Kumar Son of Shivchandra Prasad Sinha Resident of Mohalla-Patel Colony, Naga Bigha Road, Police Station- Town, District- Aurangabad.
 2. Shailesh Kumar Sinha Son of Indu Bhushan Prasad Resident of Mohalla-Bhaskar Nagar, Karma Road Near Police Line Aurangabad, Police Station-Muffasil, District- Aurangabad.
 3. Pappu Kumar Son of Lalan Prasad Resident of Mohalla- Karma Road, Bhaskar Nagar East of Police Line, Police Station- Town, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The District Magistrate, Aurangabad.
5. The Deputy Development Commissioner, Aurangabad.
6. The Additional Collector, Aurangabad.
7. The Senior Deputy Collector, Aurangabad.
8. The District Establishment Deputy Collector, Aurangabad.
9. The District Welfare Officer, Aurangabad.
10. The Executive Engineer, Town Development Organization, Aurangabad. .

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 23083 of 2018

1. Saroj Kumar Son of Bhola Yadav Resident of Village-Bishunbandh, P.S.-Deo District-Aurangabad.
2. Sant Kumar Singh Son of Late Ram Dayal Singh, Resident of Village-Gangati P.S.-District-Aurangabad.
3. Ramanuj Yadav Son of Sudarshan Yadav Resident of Village-Munshi Bigha, P.S.-District-Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through Chief Secretary, Governemnt of Bihar, Patna.
2. The Principal Secretary General Administration Department, Government of Bihar, Patna
3. The Commissioner, Magadh Division, Gaya.



4. The District Magistrate, Aurangabad.
5. The Deputy Development Commissioner, Aurangabad.
6. The Deputy Development Commissioner, (Establishment), Aurangabad.
7. The Director, DRDA, Aurangabad.
8. The District Welfare Officer, Aurangabad,
9. The Additional Election Officer, Aurangabad.
10. The Senior Deputy Collector, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Sharma, Sr. Advocate
Smt. Lilawati Kumari
For the Respondent/s : Mr. Suman Kumar Jha, AC to AAG 3
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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 15-03-2021 Heard Mr. Ramakant Sharma, learned senior counsel
appearing on behalf of the petitioners and Mr. Suman Kumar
Jha, learned AC to AAG 3 for the State.

Matter relates to appointment of Class IV employees
in Aurangabad district.

Counsel for the petitioners submits that 62 vacancies
are already available yet the respondents have not considered
the case of the petitioners for appointment on the ground that
the life of the panel has expired. He referred to a decision of this
Court dated 20.07.2017 passed in CWJC No. 14866 of 2016 to
canvass that the life of the panel stands extended for a period of
one year from the date of last appointment.

With due respect, this Court is unable to subscribe the



reasons assigned by the learned Single Judge in the order dated 20.7.2017 as this position would amount to extending the life of the panel infinity.

In the instant case selection process commenced with the advertisement of 2009. We are in 2021. The first round of selection out of advertisement of 2009 started and came to an end in 2011. The second round of selection out of the same selection process started subsequently and again 178 candidates were appointed. Now 62 posts have been made available by the Establishment of Collectorate, vide letter No. 52 dated 15.3.2018.

Mr. Ramakant Sharma, learned senior counsel appearing on behalf of the petitioners submits that in view of the availability of 62 vacancies, the respondents were required to consider the case of the petitioners for appointment against the vacancy which was made available on 15.3.2018.

The Court, in the facts of the case, is not inclined to accept this contention of the petitioners as it will amount to give the life of the panel infinity.

Since the petitioners have worked for considerable long time and in the meanwhile selection criteria has undergone a change, it would be in the ends of justice that these petitioners



may be considered for appointment against class IV posts in the district of Aurangabad by granting one time age relaxation as and when step for regular appointment is made.

With the aforesaid, both the writ petitions stand disposed of.

(Anil Kumar Upadhyay, J)

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