

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.194 of 2021

In

Civil Writ Jurisdiction Case No.12685 of 2016

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Dharmendra Kumar Pandey Son of Sri Parmeshwar Pandey, Resident of Village and P.O. Gangauli, P.S. Simar, District-Buxar.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The Joint Director, Primary Education, Education Department of Bihar, Patna.
5. The Staff Selection Commission, Bihar, Patna through the Chairman, Veterinary College, Campus, Patna.
6. The Chairman, Staff Selection Commission, Bihar, Patna, Veterinary College, Campus, Patna.
7. The Secretary, Staff Selection Commission, Bihar, Patna, Veterinary College, Campus, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Nikil Kumar Agrawal, Adv.
Ms. Aditi Hansana, Adv.
For the Respondent : Mr. Satyabir Bharti, Adv.

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CORAM: HONOURABLE MR. JUSTICE RAJAN GUPTA

and

HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE RAJAN GUPTA)

3 21-02-2022 Operative part of the impugned order
dated 11.2.2021 reads as under:-

"For the present, this Court is not deciding
this issue. For the convenience of the
parties, as they belong to the visually



handicapped category, they are in special class in the society so the benefit should be extended to those who are in the selected list.

In such view of the matter, if Nutan Kumari has not joined the said post, the same should be extended to the next and if the next is not coming forward, in such circumstances, it should be offered to the next who is at serial no. 11 and in the similar manner, it will go upto the serial no. 15 and if any out of them does not join the said post, in such circumstances, the petitioner would be adjusted and he will not take precedence over others.

The State is directed to send requisition pointing out that the one post for general category is still vacant and the Bihar Staff Selection Commission, after receipt of the same, will act as per the aforesaid order.

If the candidates standing at serial nos. 10 to 15 failed to participate in the counselling, it goes without saying that the candidate standing at serial no. 16 will get the said benefit.

All the process should be completed preferably within a period of three months from the date of receipt/production of a



copy of this order."

The learned counsel for the Respondents, at the outset, submits that in case, the exercise, as aforesaid, has not been conducted, it shall be conducted at the earliest in any case not later than one month.

The petitioner is satisfied with the statement of the learned counsel for the Respondents. Thus, the Letters Patent Appeal stands disposed off.

(Rajan Gupta, J)

(Mohit Kumar Shah, J)

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