

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2447 of 2021

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Pawan Kumar Singh Son of Jawahar Prasad Singh Resident of Village BIhar,
P.S. and Dist. Jamui,

... .. Petitioner/s

Versus

1. District Selection Committee, Jamui through its Chairman Cum District Magistrate, Jamui.
2. Chief Secretary, State of Bihar, Patna.
3. Principal Secretary, General Administration Department, Bihar, Patna.
4. Divisional Commissioner, Munger.
5. District Magistrate, Jamui,
6. Member Secretary, District Selection Committee, Jamui Cum Zazarat Deputy Collector, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh
For the Respondent/s : Mr. M.N.H. Khan, SC-1

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 28-04-2022

Heard learned counsel for the parties.

In the instant petition, petitioner has prayed for the
following relief/reliefs:

*“I. That, for commanding and
directing the respondents to ensure
appointment of petitioner, a duly empanelled*



candidate on vacant sanctioned post of Gr. D in Collectorate and other government offices of Jamui District. Petitioner has been duly empanelled under the provision of Bihar Gr. D Selection Rule 2010 by respondent Selection Committee in 2013 and as admitted by respondent selection committee in some other writ petition of instant selection process more than 80 seats remained vacant. It was neither revised though it was required under 2010 Selection Rule, nor posts were filled up.

II. That, For any other relief (s) for which petitioner is found entitled on the facts of this case and also in the eye of law.”

Prima facie, the present petition is not maintainable as petitioner has not established statutory/legal right followed by demand before the competent authority. In such an event, question of issuance of writ of *mandamus* under Article 226 of the Constitution is not warranted in the light of Apex Court decision in the case of ***Mani Subrat Jain Vs. State of Haryana reported in 1977 (1) SCC 486.***

Accordingly, the present petition stands disposed of reserving liberty to the petitioner to approach the concerned respondent in filing representation/application within a period of eight weeks from the date of receipt of this order.



The concerned authority is hereby directed to consider
the petitioner’s grievance within a reasonable period of time.

(P. B. Bajanthri, J)

Ankit/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	09.05.2022
Transmission Date	NA

