

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.621 of 2018**

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Dhananjay Prasad @ Dhananjay Kumar, son of Ramchandra Prasad @  
Ramchandrar Prasad, resident of Village and Post- Gariba Tola, P.S.- Rivilganj,  
District- Saran at Chapra.

... .. Petitioner

Versus

1. The State Of Bihar, through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Agriculture, Government of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
4. The Agriculture Production Commission, Department of Agriculture, Government of Bihar, Patna.
5. The Director Agriculture, Department of Agriculture, Government of Bihar, Patna.
6. The District Agriculture Officer, Chapra, District- Saran at Chapra.
7. The Bihar Staff Selection Commission, Patna through its Chairman.
8. The Chairman, the Bihar Staff Selection Commission, Veterinary College Compound, P.O.- B.V. College, Patna.
9. The Secretary, the Bihar Staff Selection Commission, Veterinary College Compound, P.O.- B.V. College, Patna.

... .. Respondents

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**Appearance :**

For the Petitioner : Mr.Nityanand Mishra, Advocate  
For the Respondents : Mr.Dhurjati Kr. Prasad, GP14

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

9      26-09-2022                      The petitioner has filed the writ application for quashing of the Order bearing memo no.1788 dated 04.08.2017 rejecting the petitioner's candidature in the process of selection of 'Agriculture Coordinator'. Petitioner's candidature has been rejected since he has been held not entitled to weightage/marks for work experience as 'Kisan Salahkar'. He has also sought



consequential relief to modify the combined selection list/result published vide memo no.3743 dated 24.11.2017 and memo no.3754 dated 25.11.2017 by the Secretary of the Respondent-Commission.

The submission of the learned counsel for the petitioner is that he has wrongly been deprived of marks/weightage for the experience of working as Kisan Salahkar. Since marks/weightage has been awarded to others who have worked as Agriculture Coordinator, denial of marks/weightage to the petitioner who was also working but as Kisan Salahkar is discriminatory. It is submitted by the petitioner's counsel that the weightage/marks has been awarded to Agricultural Coordinators who were also working on contractual basis like the petitioner. That being so, there is no basis for denying the petitioner, who was also contractual Kisan Salahkar, the marks/weightage for his past working experience.

The learned counsel for the State has submitted that the same issue has been considered by this Court in ***C.W.J.C. No.8164 of 2020*** and this Court has found the claim of Kisan Salahkars to be an unenforceable claim. The order of the Court is based on a consideration of the status and nature of work being performed by the Kisan Salahkars which has been taken



note of and thereafter the Court was of the view that Kisan Salahkars cannot be said to hold any civil post under the Government or can be called contractual employees. In fact the Court has taken note of the fact that the condition precedent for engagement of Kisan Salahkars was that he should be a progressive farmer himself in addition to his personal farming. The role of Kisan Salahkar was of giving advice regarding agricultural work to farmers based on requirement, for which they were being paid some emoluments.

Since the fact that the issue stands concluded under Order dated 25.03.2021 passed in *C.W.J.C. No.8164 of 2020* is not denied or disputed by the petitioner.

This Court would observe that no case is made out for interfering with the impugned order dated 04.08.2017, or for issuing any directions in favour of the petitioner.

Writ petition is devoid of merits and dismissed.

**(Madhuresh Prasad, J)**

shashank/-

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