

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4996 of 2023

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Ram Chandra Das Son of Lalbahadur Das Resident of Village-Dhovopur
Bansara, P.O.-Krishanpur Baikunth, P.S.-Hayaghat, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
3. The Director, Department of Agriculture, Government of Bihar, New Secretariat, Patna.
4. The Principal Secretary, Department of General Administration, Government of Bihar, Old Secretariat, Patna.
5. The Bihar Public Service Commission, through its Chairman, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
6. The Chairman, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
7. The Secretary, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Nityanand Mishra, Advocate
For the State	:	Mr.Raghwanand (GA-11)
		Mr.Pratik Kumar, AC to GA-11
For BPSC	:	Mr.Rajni Kant Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-11-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1(i) For issuance of a writ in the nature of mandamus by which an appropriate order or direction, the impugned action of the respondents denying reservation to the petitioner who is physically handicapped (OH)



belonging to Extremely Backward Class Category (04), be declared illegal and arbitrary as per the provisions under Sections 33 and 34 of the Rights of Persons with Disabilities Act, 2016; Resolution Memorandum No. 62 dated 05.01.2007 of the Department of Personnel and Administrative Reforms, Bihar; and Resolution Memorandum No. 962 dated 22.01.2021 of the General Administration Department, Government of Bihar, in recruitment to the posts of Bihar Agriculture Service Category-1 (Agro) Sub- Divisional Agriculture Officer/Deputy Project Director, ATMA/ Assistant Director (Agronomy & Equivalent) under Department of Agriculture, Bihar, in pursuance of Advertisement No. 86/2014.

(ii) To issue appropriate order or direction, to the respondents to consider the case of the petitioner under OH Category of disabled persons in Extremely Backward Class category (04) and in case he found suitable, to modify the merit list published dated 24.12.2021, he should be appointed/promoted on the post of Bihar Agriculture Service Category-1 (Agro) Sub- Divisional Agriculture Officer/ Deputy Project Director, ATMA/Assistant Director (Agronomy & Equivalent) under Department of Agriculture, Bihar, in pursuance of Advertisement No. 86/2014, from the date of other similarly situated employees with all



consequential benefits.”

2. At the outset, the learned counsel for the petitioner submits that the petitioner has filed a representation before the Secretary, Bihar Public Service Commission, Patna, however, the same is still pending consideration, hence the same be directed to be disposed off. It is directed accordingly.

3. It is needless to state that in case the aforesaid representation of the petitioner is still pending, the same shall be disposed off, expeditiously, preferably within a period of six weeks of receipt/production of a copy of this order, by passing a reasoned and a speaking order, in accordance with law.

4. The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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