

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16712 of 2013

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Rajiv Kumar Son Of Sri Surendra Prasad Sinha Resident Of Village And P.S.
Barauni, District- Begusarai At Present Posted As Peon In The Begusarai
Judgeship At Begusarai

... .. Petitioner/s

Versus

1. The High Court Of Judicature At Patna through Registrar General of Patna High Court, Patna.
2. The District Judge, Begusarai
3. The Additional District Judge, Chairman Of Appointment Committee, Begusarai
4. The Law Secretary, Old Secretariat, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Alok Kumar Sinha- I, Adv.
For the Respondent/s	:	Mr. Satyabir Bharti, Adv.
		Mr. Abhishek Anand, Adv.
		Ms. Kanupriya, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA
ORAL ORDER

2 17-01-2023

1. Heard the parties.

2. The petitioner has filed this writ petition praying
for following reliefs:-

A. For issuance of a writ in the nature of mandamus
commanding the respondents to conduct a supplementary
examination and allow the petitioner to appear in that
examination for departmental promotion for Class-IV
employees to Class-III employee under Rule-8 of the “Bihar
Civil Court Rules, 2009.

B. For declaring that the petitioner is an eligible
candidate having Sahityalankar degree from Deoghar



(Jharkhand) which is recognized by the State of Bihar.

C. For staying the promotion of the successful candidates till the examination of the petitioner.

3. The writ petition was filed in the year 2013. No interim order was passed in his favour.

4. The counter affidavit has been filed, wherein it is stated that the dispute as raised in the present writ petition has been decided by the Division Bench of this Court in Nand Kishore Prasad and Others Vs. The Patna High Court & Ors on 27.10.2016 along with other analogous cases. It has been held that Sahityalankar qualification cannot be treated to be a qualification equivalent to B.A. degree. The requisite qualification for appointment for Class-III employee is B.A./B.Sc./B.Com.

5. Since Sahityalankar qualification has not been treated as equivalent to B.A./B.Sc./B.Com., the candidature of the petitioner cannot be considered.

6. The writ petition is wholly misconceived and accordingly dismissed.

(Sanjeev Prakash Sharma, J)

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Item no.15

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