

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4475 of 2018

Dr. Anil Kumar Son of Sri Bharat Prasad , Resident of Mohalla-Sankat
Mochan Naar, P.O.-Arah, P.S.-Nawada Arach, Dist.-Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Development Commissioner, Old Secretariat, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration, Department, Govt. of Bihar, Old Secretariat, Patna
4. The Principal Secretary, Department of Social Welfare, Govt. of Bihar, Apana Ghar, New Punaichak, P
5. The Director, Social Security and Disability Directorate, Department of Social Welfare, Govt. of B

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate
For the Respondent/s : Mr.Md.Raishul Haque, SC-10

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2023 Heard the parties.

The prayer is for issuance of writ in the nature of writ of certiorari, quashing the advertisement vide advertisement no. सा0सु- 02/2017 published in the daily newspaper "HINDUSTAN" on 04.12.2017 and uploaded on the website of the Social Welfare Department of the Govt. of Bihar for appointment of State Commissioner (Disability) without appointing on the said post pursuant to the earlier advertisement in which the petitioner was eligible for appointment of said post and when the respondent did not appoint the petitioner on said



post the petitioner came before this Hon'ble Court and sought for the direction to the respondent authority to act as per the provision of the Rehabilitation Council of India Act 1992 and not to appoint any person on the post of Commissioner Rehabilitation who is not registered person and Rehabilitation council Act 1992. The matter is still pending before the Hon'ble Division Bench of this Hon'ble Court, and also issuance of writ of mandamus directing and commanding the respondents to act as per provision of Rehabilitation Council Act, 1992 and that too in consonance with the provision made in persons with Disabilities Act 1995 and not to appoint any person on the post of Commissioner, Rehabilitation who is not a registered person under Rehabilitation Council Act, 1992. And/or pass such other order/orders, direction/directions as your Lordship may deem fit and proper.

From the counter affidavit on behalf of respondent no.5, it is clear that Dr. Shivaji Kumar whose case was approved and appointed, it was for three years period in 2018 which came to an end in the year 2021 itself.

However, learned counsel for the petitioner is harping on LPA No. 1636 of 2016 to submit that in case of any further advertisement, if this petitioner applies, his case be considered.



The State has no objection.

The writ petition stands disposed of with the aforesaid
liberty.

(Rajiv Roy, J)

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