

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.843 of 2023

Shafayat Hussain, Son of Late Md. Salim Hussain, Resident of Village Ramvala, P.S.- Kalyanpur, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar through Principal Secretary, Home Department Government of Bihar, Patna.
2. The Commissioner, Tirahoot Division, Government of Bihar, Patna.
3. The District Magistrate, East Champaran, Patna.
4. District Selection Committee, East Champaran, Motihari.
5. The Incharge Officer, General Administration East Champaran.

... .. Respondents

Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Adv.
For the State : Mr. Ajay Kumar, AC to GP-4

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-04-2023 Heard learned senior counsel for the petitioner and learned
counsel for the State.

Petitioner in the present case is seeking the following
reliefs:-

“A. A writ in the nature of MANDAMUS of any other appropriate writ/s, order/s, direction/s directing, commanding the Respondents for the following:-

i. To appoint the petitioner as Chowkidar for Ward No. 15 of Kalyanpur Panchayat falling within Kalyanpur, East Champaran, District-Motihari.

ii. To hold that the Respondent has inclusion of name of person specially of Md. Khushid Alam, Jailendra Kumar Tiwary and Ajay Kumar who have secured lesser work than than the petitioner, which is a gross case of arbitrariness, discrimination and violating the terms of advertisement. The accepted norms like Doctrine of inequality enshrined in Article 14 and 16 of Constitution of India.

iii. To include the name of the petitioner in the final result a seat above the candidates who have secured less marks than the petitioner on Merit as well as with regard to privilege of being handicapped.

B. To any other relief/s which the petitioner is found entitled to.”



It is the specific case of the petitioner that three persons named in paragraph '13' of the writ application who have been selected have secured lesser percentage of marks than the petitioner.

Learned senior counsel submits that the petitioner has made a representation before the District Magistrate, East Champaran as contained in Annexure '3' to the writ application that at this stage he would be satisfied if this writ application is disposed of with a direction to the District Magistrate, East Champaran to consider Annexure '3' and pass a reasoned order in accordance with law.

Learned counsel for the State has no objection to the issuance of a direction to the aforesaid extent.

In the given circumstance, this writ application is being disposed of with a direction to the District Magistrate, East Champaran to consider the representation of the petitioner (Annexure '3') and take an appropriate view thereon in accordance with law within a period of three months from the date of receipt/production of a copy of this order.

(Rajeev Ranjan Prasad, J)

lata/-

U			
---	--	--	--

