

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11853 of 2012

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1. Akhileshwar Prasad Verma Son Of Baidyanath Verma Resident Of Village P.O. - Manchhapar, P.S. Bettiah Muffasil, District - West Champaran
 2. Sri Kant Yadav Son Of Sri Radha Yadav Resident Of Village - West Kargahiya, P.O. - Bettiah P.S. Bettiah Town, District - West Champaran
 3. Sandeep Kumar Son Of Pramod Srivastav Resident Of Village - Satbhirwa, P.O. P.S. - Majholia District - West Champaran
 4. Ramanand Mahto Son Of Vishwanath Mahto Resident Of Village - Barwat, Post Prasrien, District - Bettiah (West Champaran)

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary General Administration Department, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur
3. The District Magistrate, Bettiah
4. The Addl. Collector, Bettiah
5. The Addl. District Magistrate (Establishment), Bettiah
6. The District Welfare Officer, Bettiah
7. The District Employment Officer, Bettiah
8. The Nagir, Bettiah Sadar Sub-Division Office, Bettiah
9. District Nagir, District Nagarat, Bettiah

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sunil Kumar Sinha, Advocate
For the Respondent/s	:	Mr. Kameshwar Kumar, GP-17
		Mr. Amit Bhushan, AC to GP-17

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 26-02-2024

Heard learned counsel for the petitioners and learned counsel for the State.

2. The present writ petition has been filed for the following reliefs :



“(A) For a direction to the respondents to place the petitioners in the Final Panel prepared for the selection of Class-IV posts according to the actual days of work done by them as daily wager in different offices of the District Establishment as per the notification as well as guidelines of the Government.

(B) For a direction to the respondents to give the weightage of the petitioners according to the guidelines of the Government by counting their all previous days of daily wages for which they have received payment from the Government.

(C) For other relief/reliefs for which the petitioners are legally entitled.

3. Learned counsel for the petitioners submits that pursuant to notification vide Memo No. 79 dated 21.01.2011 for preparation of panel for the direct appointment of Class-IV employees in the West Champaran District and pursuant to the aforesaid, the petitioners worked as a daily wages peon in the District and Sub-Division Offices since long they applied for the same and accordingly a merit list was prepared by the Committee of the concerned district. Learned counsel for the petitioners submits that petitioner no. 1, namely, Akhileshwar Prasad Yadav was placed at serial no. 224, petitioner no. 2, namely, Srikant Yadav was placed at serial no. 129, petitioner no. 3, namely, Sandeep Kumar was



placed at serial no. 126 and petitioner no. 4, namely, Ramanand Mahto was placed at serial no. 146 in the panel of the merit list. Learned counsel for the petitioners submits that despite of the preparation of the panel, the petitioners have not been appointed then they approached the Hon'ble Court for a direction to the respondents to issue an appointment letter in favour of the petitioners.

4. Learned counsel for the State has filed a detailed counter affidavit stating therein that for the same relief, several similarly situated persons have moved before this Court and as per the order of the Hon'ble Court in the light of the common order dated 18.12.2019 passed in CWJC No. 18612 of 2019 (*Kapil Kumar & Ors. Vs. The State of Bihar and Ors.*), CWJC No. 17070 of 2019 (*Ramji Prasad Shrivastav @ Ramji Prasad Vs. the State of Bihar & Ors.*), CJWC NO. 18148 of 2019 (*Kailash Tanti Vs. The State of Bihar & Ors.*), CWJC No. 18443 of 2019 (*Ashutosh Kumar Sinha Vs. The State of Bihar & Ors.*), the Hon'ble Court directed the General Administration Department, Bihar to hold examination for the post in question and pursuant to the direction of this Hon'ble Court, the General Administration Department, Bihar had cancelled the advertisement of the year 2011-2018 and thereafter an advertisement was issued through the Staff Selection Commission and petitioners are required to participate in the selection process and it appears that the selection process of the year 2011 has been



cancelled by the General Administration Department pursuant to the order of the Hon’ble Court.

5. Considering the aforesaid facts that in compliance of the order of this Court passed in CWJC No. 18612 of 2019 (*Kapil Kumar & Ors. Vs. The State of Bihar and Ors.*), CWJC No. 17070 of 2019 (*Ramji Prasad Shrivastav @ Ramji Prasad Vs. the State of Bihar & Ors.*), CJWC NO. 18148 of 2019 (*Kailash Tanti Vs. The State of Bihar & Ors.*), CWJC No. 18443 of 2019 (*Ashutosh Kumar Sinha Vs. The State of Bihar & Ors.) (supra)* entire selection process of the year 2011 has been cancelled by the General Administration Department, there is no merit in the writ petition. It is, accordingly, dismissed.

(Rajesh Kumar Verma, J)

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AFR/NAFR	NAFR
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