

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10905 of 2012

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1. UMA SHANKAR SINGH and ORS Son Of Chandrika Singh Resident Of Village - Hasuaha, Post Office - Govindpur Bazar, Police Station - Harsidhi, District - East Champaran
 2. Rajendra Sah Son Of Late Kamla Sah Resident Of Village - Kiritpur Shahnagar, Post Office - Kiritpur Mathiya, Police Station - Harsidhi, District - East Champaran
 3. Hari Saran Prasad Son Of Late Raghaw Sharan Prasad Resident Of Village - Lal Bighia, Post Office -Mishrauliya, Police Station - Chiraiya, District - East Champaran
 4. Muni Lal Prasad Son Of Bhadai Lal Prasad Resident Of Village - Matiyaria, Post Office - Makhua, Police Station - Harsidhi, District - East Champaran
 5. Subhash Kumar Mishra Son Of Sri Hari Kant Mishra Resident Of Village - Hasuahan, Post Office- Govindpur Bazar, Police Station - Harsidhi, District - East Champaran
 6. Ram Sagar Rai Son Of Sri Lachhu Rai Resident Of Village - Sareyan Khurd, Post Office - Mukhua, Police Station - Harsidhi, District - East Champaran
 7. Jay Prakash Yadav Son Of Durbij Rai Resident Of Village - Pareva, Post Office - Kapur Pakari, Police Station - Shikarganj, District - East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR and ORS
2. Secretary, Department Of Personnel And Administrative Reforms, Bihar, Patna
3. The Commissioner, Tirhur Division, Muzaffarpur
4. The District Magistrate, East Champaran
5. The Deputy Development Commissioner, Muzaffarpur
6. The Deputy Collector, District Nazarat, Motihari, East Champaran
7. The Chairman, District Establishment Committee-Cum-District Magistrate, East Champaran, Motihari
8. Civil Surgeon-Cum-Chief Medical Officer, East Champaran, Motihari

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.
For the Respondent/s : Mr. Sanjay Kumar, AC to AAG-4

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

3 19-01-2024 At the outset, it is required to be noted that despite direction of this Court, the State has chosen not to file counter affidavit in this case even though the direction to file counter affidavit was issued in the year 2012.

Heard Mr. Sunil Kumar, learned counsel for the petitioner and Mr. Sanjay Kumar, learned A.C. to AAG-4 appearing on behalf of the respondent-State.

2. The present writ application has been filed for directing the respondent authority to make appointment to the petitioners on class IV posts on the regular basis from the revised panel as per the order dated 27.10.2009 passed in C.W.J.C. No. 14822 of 2005.

3. Learned counsel for the petitioners submits that the State has taken a decision with regard to the appointment of class -IV posts and they have issued circular time to time in this regard and pursuant to the circular of the State Government, respondent No.4 has issued an advertisement bearing No. 21 of 2001 and supplementary advertisement No. O.C.- 01 of 2002, inviting application from the eligible candidates in prescribed format through employment exchange for preparation of panel for



appointment on various class IV posts in different offices in the district of East Champaran. Pursuant to the aforesaid advertisement, the candidates who were working in the Maleria Department and others placed in the district of East Champaran filed their applications for inclusion of their names in the panel of the candidates for appointment on class IV posts.

4. Learned counsel for the petitioner further contends that after scrutiny, the respondent No.4 has prepared a list of 210 candidates in which the petitioners are found at serial No.5, 6, 15, 28, 42, 45 and 57 respectively. Learned counsel for the petitioner further contends that despite of their selection in the panel list, the respondent authority has not issued appointment letter in favour of the petitioners as yet and even no counter affidavit has been filed on behalf of the State as yet.

5. In view of the aforesaid, writ petition is disposed of with a direction to respondent No.4 to consider the case of the petitioners and issue a appropriate and reasoned order within a period of three months from the date of receipt or production of a copy of this order in accordance with the law and if the claim of the petitioners found genuine, the same



shall be extended to the petitioners forthwith.

6. With the aforesaid observation and direct, this writ application is disposed of.

(Rajesh Kumar Verma, J)

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