

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12998 of 2024

1. Kundan Kumar son of Birendra Kumar Singh, Resident of Village- Govindpur, Post Office- Surihari, Police Station- Amarpur, District- Banka.
2. Prince Kumar, son of Abhiram Singh, Resident of Village- Kadawa Pratap Nagar, Post Office- Kadawa Diyara, Police Station- Naugachiya, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna.
4. The Joint Secretary, Panchayati Raj Department, Government of Bihar, Patna.
5. The Director, Panchayati Raj Department, Government of Bihar, Patna.
6. The Divisional Commissioner, Tirhut Division, Muzaffarpur.
7. The District Magistrate, Sitamarhi.
8. The Deputy Development Commissioner, Sitamarhi.
9. The District Panchayati Raj Officer, Sitamarhi.
10. The District Land Acquisition Officer, Sitamarhi.
11. The District Public Grievance Redressal Officer, Sitamarhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Kundan Kumar
For the Respondent/s : Mr.Standing Counsel (5)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-09-2024 Learned counsel for the petitioners and learned counsel for the State are present.

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

*(i) For issuance of direction
to the respondent authorities to*



appoint the petitioners on the post of Technical Assistant in the district of Sitamarhi as there were 8 post reserved for selection/ appointment of Technical assistant in the district of Sitamarhi, for Backward Class (BC) male & female category candidate as per vacancy roster out of which 5 post for male and 3 post for female categories and the petitioners stood at the serial no. 3 and 4 of the provisional merit list based on counseling check list under (EBC: 60% male) category candidate as well as at the serial no. 85 of the provisional merit list of selected candidate. Out of 8 post only one candidate has been selected under BC category and the petitioner had made several representation before the respondent authorities for their appointment on the vacant post reserved for BC Category.

(ii) For a direction to the respondent authorities more particularly the District Panchayati Raj Officer, Sitamarhi, to select/appoint the petitioners on the post of Technical Assistant in the district of Sitamarhi in view of guide



line as contained in Sankalp Sankhya. 4046 dated 25.07.2018 (Annexure 1) issued by the Principal Secretary, Panchayati Raj Department, Government of Bihar, Patna (Respondent no. 1) for implementation the Mukhyamantri Gramin Gali - Nali Pakkikaran Nischay Yojana and Mukhyamantri Gramin Peyjal Nischay Yojana and district wise vacancy list dated 27.08.2018 (Annexure 2) issued by the Joint Secretary, Panchayati Raj Department, Government of Bihar, Patna (Respondent no. 2). There are 3 post for selection appointment of Technical assistant in the district of Sitamarhi, for Backward male category candidate who got Diploma certificate of Civil Engineering from Private Polytechnic College as per vacancy roster and the petitioners are at the serial no. 3 and 4 of the merit list under Backward male category, candidate who is at serial no. 1 did not join and the candidate at serial no. 2 is working as such 2 seats are still vacant, therefore the petitioners being most deserving candidate made several representation to the respondent authorities for their



appointment on the aforesaid vacant post but who did not take any response.

(iii) For a direction to the respondent authorities to select/appoint the petitioners on the post of Technical Assistant in the district of Sitamarhi by adopting same method as adopted for selection/appointment as Technical Assistant of general Male category candidate on the post reserved for general female category candidate. Because 5 female general category candidate was not available for appointment therefore 5 male category candidate was appointed at the said post and there were no female BC category candidate available for appointment which was reserved for her.

(iv) For a direction to the respondent authorities to select/appoint the deserving candidates on the post of Technical Assistant in the district of Sitamarhi which has been reserved for BC category as only one candidate has been appointed against 8 post which was reserved for BC candidate.



(v) For any other relief/reliefs for which the petitioners may be deemed entitled too.

3. Learned counsel for the petitioners submits that the petitioners were earlier moved before this Hon'ble Court in CWJC No. 8199 of 2022 for their grievances in which vide order dated 14.10.2022, the writ petition was disposed off with liberty to the petitioners to pursue their representation. Counsel submits that prior to the present writ petition, series of representations were filed, but no decision has been taken till date by the respondent authority, particularly, District Magistrate. Counsel further submits that the petitioners have also filed their representation before the Hon'ble Chief Minister, Government of Bihar, but even then, no decision has been taken.

4. Learned counsel for the State submits that a direction may be given to the petitioners to file a fresh representation.

5. Upon going through the document, it transpires that it is extremely unfortunate that even after representation filed before the Hon'ble Chief Minister, the state officials have not taken any decision in this matter.

6. In this view of the matter, it is hereby directed to the petitioners to file their representation before the Chief



Secretary, Government of Bihar, within 30 days who is directed to look into this matter seriously and provide appropriate direction to the concerned officials for the fulfillment of grievances of the petitioners within 90 days from the date of production of order.

7. With this direction, the writ petition stands disposed off.

(Dr. Anshuman, J.)

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