

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12571 of 2012

Satrughan Ram S/O Late Janglu Ram, R/O Vill- Basaitha, P.O.-Basantpur Patti, P.S.-Sariya, Distt- Muzaffarpur.

... .. Petitioner

Versus

1. The State Of Bihar.
2. The District Magistrate-Cum-Collector, Muzaffarpur, Distt-Muzaffarpur.
3. The Deputy Collector, Nazarat , Muzaffarpur Collectorate, Muzaffarpur.
4. In-Charge Medical Officer, Primary Health Centre, Muroal, Muzaffarpur.

... .. Respondents

Appearance:

For the Petitioner	:	Mr. Rajeev Ranjan, Advocate
For the Respondents	:	Mr. Kumar Alok, SC-7
		Mr. Satyeshwar Prasad, AC to SC-7

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 11-03-2024 Heard Mr. Rajeev Ranjan, the learned counsel for the petitioner and Mr. Kumar Alok, the learned SC-7 appearing on behalf of the State.

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

(i) For directing and commanding the respondents to include the name of the petitioner in the fresh District Level Employment Panel list and further appoint the petitioner as Class-IV employee on the basis of said panel, as per requirement in the office of the respondent no. 2, as the petitioner was working as Class-IV daily wages employee in the office of the respondent no. 2.

(ii) And also for any other relief/reliefs for which petitioner is found to be legally entitled under



the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the respondent no. 3 had issued a Memo No. 476 dated 18.10.1994, whereby the name of the petitioner was empanelled under the category of Scheduled Caste at serial no. 121. He further submits that despite the fact that petitioner was empanelled, the respondents did not include the name of the petitioner in the fresh District Level Employment Panel in the Class-IV employee list.

4. Learned counsel for the State has filed a counter-affidavit and supplementary counter-affidavit and submits that in fact, the name of the petitioner was enrolled in the office of District Employment Exchange, Muzaffarpur and his name was at serial no. 121 in the year 1994, at serial no. 164 in the year 2000-2001 and at serial no. 171 in the year 2006 in the Muzaffarpur District Level Employment Panel List for Group-D under the categories of Schedule Caste. He further submits that as per the provision contained in the letter no. 3577 dated 20.04.1997 of the Department of Personnel and Administrative Reforms, Government of Bihar, the validity of the panel was fixed for one year only. He further submits that thereafter, an advertisement was published for preparation of the Group-D panel, in which the petitioner has failed to appear in the scheduled interview and not made any objection within the stipulated period for which notices were published in the local newspapers and considering the same



the name of the petitioner was not placed in the panel duly published for Group-D in the year 2011. The list of 2011 was prepared following the criteria laid down in the said advertisement.

5. Learned counsel for the State has relied upon the judgment reported in *2020(1) PLJR 287* in the case of *Kapil Kumar & Ors. Vs. State of Bihar & Ors.*, whereby the Hon'ble Court has felt that the work experience as daily wager simpliciter cannot be the sole/main criteria for selection and appointment.

6. In view of the aforesaid, it appears that the petitioner has not participated in the selection process and he has never objected to the panel which was prepared by District Administration, pursuant to the direction of the General Administration Department.

7. In view of the aforesaid, there is no merit in the writ petition. Accordingly, the present writ petition stands dismissed.

(Rajesh Kumar Verma, J)

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