

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23754 of 2019

Madhu Priya W/o Sudhir, D/o Pundeo Prasad Resident of Village- Banjariya
Nearby Pokhra P.S.- Banjariya, District- East Champaran. At present Sat Guru
Mandir Saman Seman (115) Saman-Rohatak, Hariyana.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Human Resource and Development Department, Govt. of Bihar, Patna.
2. The Commissioner, Tirhut Division, Muzaffarpur.
3. The District Magistrate, Motihari East Champaran.
4. The District Programme Officer, Motihari East Champaran.
5. The Child Development Programme Officer, PO, P.S. and Block- Banjariya, District- Motihari, East Champaran.
6. Babita Kumari Wife of Krishan Kumar Resident of Village- Bhawanipur Jirat, P.S.- Motihari, District- Motihari East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Adv
For the Respondent/s : Mr.Kumari Amrita (GP-3)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 27-08-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The present writ petition has been filed for
quashing of the order dated 05.07.2019 passed by the District
Magsitrate, Motihari, East Champaran (Respondent No. 3).

3. Learned counsel for the petitioner submits that the
said order has been passed arbitrarily and mechanically without
considering the points/grievance of the petitioner, and hence ,the
order passed by the District Magistrate, Motihari, East



Champaran is illegal and fit to be set aside. Counsel further submits that the result has not been published on the basis of earlier counseling and it is due to this reason, petitioner has not been selected and other person has been selected.

4. Counsel for the State on the other hand submits that in the appellate order which is impugned here, both petitioner and opposite party have been heard and it is the present petitioner who is also the petitioner before the District Magistrate, Motihari in Misc. Case No. 88 of 2014. Counsel further submits that from the operative part of the order, it becomes crystal clear that counseling was done on 18.02.2012 and further counseling for rest candidates have been done on 14.03.2012 and 15.03.2012 but petitioner could not appear on the said counseling. Counsel submits that she was called for counseling on 14.03.2012 but if she would have been called for counseling on 18.02.2012 she would have been selected but on the other hand petitioner had obtained 58.23 marks whereas marks of the respondent was higher than the petitioner i.e. she has obtained 60.69 marks.

5. Upon perusal of the records, it transpires to this Court that the order passed by the District Magistrate, Motihari is well reasoned and speaking order and it has been



categorically held that extension of the counseling date was not only for handicap category rather it was extended for all the categories. Therefore, the plea taken by the petitioner will not help him in any manner.

6. Considering the above facts and circumstances, the present writ application stands dismissed.

(Dr. Anshuman, J)

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