

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1427 of 2019

In
Civil Writ Jurisdiction Case No.8980 of 2015

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Sanjay Kumar Srivastava, S/o Late Braj Kishore Prasad Srivastava, R/o
Village- Bhaugauna, P.S. - Musharwa, P.S.- Sathi, District - West Champaran.

... .. Appellant/s

Versus

1. The State of Bihar through Secretary Agriculture Dept. Govt. of Bihar, Patna.
2. The Director of Agriculture Department Govt. of Bihar, Patna.
3. The Secretary, Bihar Staff Selection Commission Patna.
4. The Director of Agriculture Cum Udyan Department Govt. of Bihar Patna.
5. The Collector of Madhepura Dist Madhepura, Bihar.
6. The Deputy Development Commissioner Madhepura.
7. The District Agriculture Officer, Madhepura.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr.Dhannjay Kumar No 2, Adv.
For the Respondent/s : Mr.AAG 13

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 18-07-2024 The appellant has assailed the order of the learned

single Judge dated 11.09.2019 passed in CWJC No. 8980 of

2015 .

2. The grievance of the appellant is that he has been

non-suited for Agriculture Coordinator Post in the State of Bihar

for want of two years' experience which is one of the criteria for

the purpose of selection and appointment to the post of



Agriculture Coordinator in the State of Bihar.

3. On 11.07.2024 we had passed the following order :

“Director of Agriculture Department, Govt. of Bihar, Patna is hereby directed to file his personal affidavit before the next date of hearing to the extent whether appellant had two years experience in the agriculture department in the light of order of appointment dated 11.06.2012 vide Annexure-4 to the writ petitioner.”

4. Director has filed his personal affidavit. In para-12 it is stated as under :

“That from aforesaid facts it is very much clear that the petitioner worked as SMS on contract under Agriculture Department for less than one year (11.06.2012 to 14.05.2023).”

5. State Government has taken a policy decision to discontinue the services of such of those persons who are appointed on par with the petitioner, resultantly, his services have been discontinued on 15.05.2013. Therefore, the service for the period from 11.06.2012 to 14.05.2013 is taken into consideration, in that event, appellant do not fulfill requisite two years' experience against a post in the department of agriculture.



Therefore, appellant has not made out a case so as to interfere with the order of the learned single Judge dated 11.09.2019 passed in CWJC No. 8980 of 2015.

The LPA stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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