

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25437 of 2019

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Mohan Yadav, Son of Late Ramlagan Yadav Resident of Village- Sukki,
Police Station- Khajauli, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Health Department, Government of Bihar, Patna.
2. The Secretary-cum-Commissioner, Health Services, Health Department, Government of Bihar, Patna.
3. The Directed, Health Department, Government of Bihar.
4. The Chief Malaria Officer, Bihar, Patna.
5. The District Magistrate, Madhubani.
6. The Civil Surgeon-cum-Chief Medical Officer, Madhubani.
7. The District Vector Borne Disease Controlling Officer, Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Dhaneshwar Prasad Gupta, Adv.
For the State	:	Mr. Mujtabaul Haque (GP-12)
		Mr. Vasant Vikas (AC to GP-12)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 09-01-2024 Heard learned counsel for the petitioner and learned
counsel for the State.

2. Learned counsel for the petitioner submits that the present writ petition has been filed directing the respondent for finalization of the penal list of the D.D.T. Sprayers workers in which the name of the petitioner is at Sr. No. 878 annexed as Annexure-2 and also for directing the respondent authority to absorb/appoint the petitioner on the vacant post of the Group-IV post after giving the age relaxation according to the decision of



this Hon'ble Court and the policy of the State Government.

3. Learned counsel for the petitioner submits that there are series of cases decided by this Hon'ble High Court in which the case of similarly situated persons as like that of the petitioner has been taken into consideration and positive order has been passed. The petitioner seeks relief in the light of relief granted to other similarly situated persons.

4. Learned counsel for the State submits that counter affidavit has been filed and in the said counter affidavit, it has been accepted by the State that the petitioner's name has been figured at Sr. No. 884 (new)/878(old) in the seniority list of D.D.T. sprayer seasonal workers. It has been also accepted that District Magistrate, Madhubani through his letter no. 309 dated 18.02.2019 annexed as Annexure-B directed the Civil Surgeon, Madhubani to prepare the panel list of D.D.T. sprayer as per seniority list and then forward roster to the District Magistrate for appointment/absorption of D.D.T. sprayers in Group-D on vacant posts. It has also been accepted that in compliance of the said letter dated 18.02.2019, the District Vector Borne Disease Control Officer, Madhubani (respondent no.7) had forwarded the panel list to the District Magistrate, Madhubani for approval *vide* letter no. 358 dated 08.08.2019 annexed as Annexure-C.



5. It has also been mentioned that Civil Surgeon, Madhubani had made a request to the District Magistrate, Madhubani for grant of approval for appointment/ absorption of D.D.T. sprayers through letter no. 3304 dated 14.12.2019 and it has been accepted by the respondent that as soon as the panel list is prepared/ approved by the District Magistrate, steps for appointment/ absorption of the petitioner on Group-D post as per his seniority and availability of vacant post in Group-D shall be made. Counsel for the State further submits that it is not the case of the petitioner that any person in the seniority list below from him has been considered.

6. In this view of the matter and in the opinion of this Court, the petitioner has no option but to wait for his chance.

7. With the aforesaid observations, this writ petition is hereby disposed of directing the respondent Collector to consider the case as early as possible in accordance with law.

(Dr. Anshuman, J.)

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