

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2129 of 2017

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Mahadeo Prasad Sah Son of Late Kadam Lal Sah, Resident of village - Diyan,
P.O. Rampur Koda Galli, Police Station Araria, District - Araria

... .. Petitioner/s

Versus

1. The State Of Bihar through the Law Secretary, Bihar, Old Secretariat, Patna.
2. The District and Sessions Judge, Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Mishra, Sr. Advocate Ms. Manini Jaiswal, Advocate Mr. Shubham Kumar Upadhyay, Advocate
For the Respondent/s	:	Mr. Sunil Kr. Mandal, SC-3 Mr. Bipin Kumar, AC to SC-3
For Respondent No.2	:	Mr. Piyush Lal, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 11-07-2025 Heard learned Senior Counsel for the petitioner,

learned Counsel for respondent No.2 and learned Counsel for

the State.

2. The present writ petition has been filed for issuance

of writ in the nature of Mandamus directing respondent No.2 to

provide appointment to the petitioner on the post of

Peon/Orderly in Araria Civil Court vide Advertisement No.01 of

2016.

3. After receiving the counter affidavit on behalf of

respondent No.2, learned Senior Counsel fairly submits that

since petitioner has appeared in the process of recruitment by

virtue of advertisement No.01 of 2016, following the said



advertisement the name of petitioner has been figured in the waiting list and he could not be finally selected. But, simultaneously, he submits that petitioner is still working as attender, therefore, a protection may be granted so that respondent No.2 may not disturb. Learned Senior Counsel submits that in the light of the counter affidavit, the petitioner only prays for protection that he may not be removed till next opportunity by way of fresh advertisement come.

4. Learned Counsel for respondent No.2 submits that petitioner has already crossed the age limit to get the employment.

5. This Court is conscious that petitioner has crossed the age limit. It is directed that petitioner shall not be disturbed from working on the post he is still working till next appointment keeping in view that he has been continuously working since 2016.

6. With the aforesaid observation, this writ petition stands disposed off.

(Dr. Anshuman, J)

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