
(2006) 07 PAT CK 0028
In the Patna High Court
Case No : CWJC No. 1448 of 2006

Vijay Kumar Verma

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 27-07-2006

Acts Referred:

Citation : (2006) 3 PLJR 588

Hon'ble Judges : Ramesh Kr. Datta, J

Bench : Single Bench

Judgement

Ramesh Kr. Datta, J.—Heard Mr. Shailendra Kumar, learned counsel appearing for the petitioner and the learned J.C. to Additional A.G. No. 2 for the State. The petitioner seeks quashing of the District panel of the year 2004 for appointment of Class-IV employees in Nawadah District dated 5.5.2004 and further to prepare a fresh panel including the name of the petitioner therein since the petitioner has been working on daily wages basis on Class-IV post since 1.7.1989 and his name was appearing in both the last two panels prepared in 1994 and 2002.

2. In paras 19 and 20 of the writ petition the petitioner has given the names of several candidates who are overage for being included in the panel yet they have been included whereas the petitioner was not given some relaxation.

3. In the counter affidavit filed on behalf of the State respondent it has been stated that age was relaxed only in the case of those persons who were the petitioners in C.W.J.C. Nos. 7691/97 and 7780/ 98 and copies of the said orders have been annexed. It is pointed out by the learned counsel for the petitioner that by order dated 4.11.1999 disposing of the C.W.J.C. No. 7780 of 1998 this Court had given a specific direction that a fresh panel should be prepared giving preference to the daily wages employees including the petitioner over the outsiders and, if so necessary age of one or other petitioner and similarly situated persons be relaxed.

4. Learned counsel for the petitioner submits that in view of the said specific

direction of this Court the respondents ought to have relaxed his age also and granted him the same benefit as granted to the similarly situated persons who had filed the said writ petition. In view of the aforesaid facts and circumstances, it is directed that if the petitioner files a representation within four weeks from today the same shall be considered by the District Magistrate, Nawadah in accordance with the directions given by this Court vide order dated 1.11.1999 passed in C.W.J.C. No. 7780/98 as contained in Annexure-B to the counter affidavit and dispose of the same by a reasoned order within a further period of six weeks from the date of submission of the representation the aforesaid directions and observation this writ application is disposed of.