

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.486 of 2017
In
Letters Patent Appeal No.30 of 2014

Nand Kishore Chaudhary

... .. Petitioner/s

Versus

The State Of Bihar and Ors

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Choudhary, Advocate

For the Opposite Party/s : Mr.Anjani Kumar, AAG-4

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

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

7 25-04-2024 Petitioner has filed supplementary affidavit along with Annexure-P/3 to Annexure-P/7. Perusal of Annexure-P/6, which is a Policy decision of the State Government dated 30th January, 1987, in particularly, Clause (7) it relates to reservation of 15% to such of those displaced persons on account of Kosi River Flood. On the other hand, petitioner has not apprised this Court that concerned authority pursuant to Annexure-P/7, he was subjected to process of selection and appointment. On the other hand, *prima facie*, petitioner is stated to have been directly appointed and it is contrary to Policy decision of the State Government dated 30th January, 1987. It is relevant to reproduce Clause-7 and it reads as under:-

“(7) सरकारी एवं अन्य नौकरियों में आरक्षण



जिन-जिन जिलों को कोशी तटबंध के निर्माण से सीधे लाभ पहुँचा है यथा-दरभंगा, मधुबनी, समस्तीपुर, सहरसा, मधेपुरा, पूर्णिया एवं कटिहार, उनमें तृतीय एवं चतुर्थ वर्गीय सरकारी नौकरियों में तटबंध के भीतर के लोगों को 15 प्रतिशत का आरक्षण दिया जाएगा। इसी तरह सरकारी, अर्द्ध-सरकारी एवं गैर सरकारी कारखानों या उद्योगों में भी यह आरक्षण दिया जाएगा। तटबंध के अन्दर के सामान्य वर्गों के लिए भी श्रेणी तीन से चार के लिए 15% पद आरक्षित रहेंगे।”

2. Therefore, petitioner is further permitted to produce that whether he was subjected to process of selection and appointment read with the 15% reservation so as to affirm the initially appointment issued in the year 1989.

3. Relist this matter on 16.05.2024.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

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