

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6902 of 2015

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1. Harihardatt Vatsa Kumar Pankaj, Son of Sahu Sitaram Pankaj, Resident of Village-Nawadakalan, P.S.- Ganga bridge, District-Vaishali.
 2. Rakesh Kumar, Son of Nagendra Prasad, resident of Village-Banchauri (Dholi), P.S.-Dumra, Dist-Sitamarhi
 3. Saroj Kumar Yadav, S/o Gopal Krishna Yadav, resident of Village-Bharauli, P.S.- Shahpur, Dist-Bhojpur
 4. Pancham Kumar Singh, Son of Mangal Kishor Singh, resident of Village-Hemja, P.S.-Haidarnagar Dist-Palamu, Jharkhand
 5. Ramkrit Sah, S/o Ramsajiban Sah, resident of Village-Rampura, P.S.-Singhwara, Dist-Darbhanga
 6. Devashish Thakur, S/o Awadhesh Thakur, resident of Mohalla-Chunabhathi, Near Mithu Mandir Chowk, P.S.- University Campus, Dist-Darbhanga
 7. Surendra Kumar Singh, S/o Yamuna Prasad Singh, resident of Village-Katahan, P.S.-Mahsi, Dist- East Champaran
 8. Krishna Kumar, S/o Ramashrey Prasad, Resident of Village-Abdulpur, P.O.- Sultanpur, P.S.- Fatuha, Dist-Patna
 9. Rajesh Kumar Mahto, S/o Dinesh Mahto, resident of Mohalla-Laxmiagar, Saidpur(DAV Road), P.S.- L.N.M.U. Darbhanga, Dist-Darbhanga
 10. Ravikant Kumar, Son of Vimal Prasad, C/O Dinanath Prasad, Road No.2, near Boys Middle School, P.S. +P.O. Gidhaur, District-Jamui
 11. Jitendra Kumar, S/o Shashi Bhushan Singh, resident of Vill.+P.O.-Sambey, P.S.-Warisiliganj, Dist-Nawada
 12. Premlata, Daughter of Arun Kumar, resident of Mohalla-Indralok Nagar Colony, Pahari Road, Near Iron Factory, Agamkuan, P.S.- Bypass, Dist-Patna
 13. Prem Kumar, Son of Ramashish Prasad, resident of Moh.-Tarchha, P.S.- Shiekhpora, Dist- Sheikhpura
 14. Rakesh Kumar, Son of Late Aditya Sahu, resident of H.No.138, Kumharar Toli, Melatar, P.S.-Khunti, District-Khunti, Jharkhand
 15. Birendra Kumar, Son of Diwakar Prasad Gupta, resident of Village-Nayagaon, P.S.-Aurai, District-Muzaffarpur
 16. Dilip Kumar Sharraf, Son of Shiv Shankar Prasad, C/O Pradise Classes, Purani Bazar, Ward No. 11, Satya Chowk, Sitamarhi, District-Sitamarhi,

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chairman-cum-Managing Director, Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna, Successor of the Erstwhile Bihar State Electricity Board, Patna
3. Secretary, Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna, Successor of the Erstwhile Bihar State Electricity Board, Patna
4. The General Manager, (Human Resources & Administration), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna, Successor of the Erstwhile Bihar State Electricity Board, Patna
5. The Deputy General Manager, (Human Resources & Administration), Bihar State Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna, Successor of the Erstwhile Bihar State Electricity Board, Patna
6. Officer on Special Duty, (Human Resources & Administration), Bihar State

Power (Holding) Company Ltd., Vidyut Bhawan, Bailey Road, Patna, Successor of
the Erstwhile Bihar State Electricity Board, Patna
7. The Principal Secretary Energy Department Govt. of Bihar, Patna

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Chittaranjan Sinha, Sr. Advocate
Mr. Prabhu Nath Pathak
For the Respondent State: Mr. Krishna Murari Prasad, AC to GA5
For the Respondent Power
Holding Company : Mr. Vinay Kirti Singh

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT

Date: 16-09-2015

After much persuasive arguments made by the learned senior counsel for the petitioners and after having delved in the diverse decisions rendered in this regard by various courts, the maximum which can be done in favour of the petitioners is to issue direction upon the respondent Power Holding Company to consider the efficacy of filling up the left over posts by short-listed candidates. Whether they have a right of appointment as such is debatable.

Writ application is disposed of with above observation.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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