

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3650 of 2015

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1. Mritunjay Kumar, Son of Shree Madan Lal Singh, Resident of Village - Rasalpur, P.O. - Jagai, P.S. - Ekangar Sarai, District - Nalanda, Bihar.
 2. Arbind Kumar Jha, Son of Sri Narendra Jha, Resident of Dagmara, P.O. Dagmara, P.S. - Kunauli Bazar, District - Supaul.
 3. Ashwini Kumar Pandey, Son of Sri Ramesh Chandra Pandey, Resident of Mohalla - Bari Jhojharpur, Near Fire Station, Bhagalpur.
 4. Jyotindra Nath, Son of Sri Bhuwaneshwar Nath, Resident of Mohalla - Bakarganj, P.O. - Bankipur, P.S. Pirbahore, District - Patna.
 5. Chandra Prabha D/o Late Ram Kailash Prasad, Resident of Mohalla - Dujara P.O. G.P.O., P.S. - Gandhi Maidan, District - Patna.
 6. Anjay Kumar, Son of Late Vidya Sagar Gupta, Resident of Mohalla - Salimpur Ahra, P.S. - Kadamkuan, District - Patna.
 7. Brishketu Kumar Ojha, Son of Sri Jagdish Chandra Ojha, Resident of Village - Banshwar, P.O. - Raghunathpur, District - Buxar.
 8. Partima Kumari, Wife of Sri Satish Kumar, Awadh Kunj, Resident of Mohalla - Rambabu Colony, Gur Ki Mandi, Gulzarbagh, Patna.
 9. Ram Kumar Sharma, Son of Late Ram Krishna Chaudhary, Resident of Mohalla & P.O. - Bhagatpur, P.S. - Balia, District - Begusaria.
 10. Md. Sarfaraz Ahmad, C/o Md. Idris (Retired Bank Officer) Resident of Road No. 6 B, P.O. Rajendra Nagar, P.s. - Kadamkuan, District - Patna.
 11. Vishwa Mohan Ray, Son of Sri Kanhaiya Rai, Resident of Village - Ray Complex, Chandwan More, Arrah, P.O. Chandwan, P.S. Nawadah, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar, the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Deputy Secretary, Human Resources Development Department, Government of Bihar, Patna.
4. The Director, Human Resources Development Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Raghwanand

For the Respondent/s : Mr. GP29 - S.PASWAN

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 15-04-2015

A K Tripathi, J.

If the submission of the counsel for the petitioners is

accepted that they should be now also permitted to join the process of selection of Librarian in relation to an advertisement issued in the year 2008, it will amount to putting the clock back by seven years.

2. One of the reasons why petitioners could not be appointed of which they are making grievance is that for one reason or the other, the State Government did not fill up the post and the vacancies for a long-long time. This resulted in most of the candidates becoming over-age. Even at this belated stage they are looking for an opening in the life since there are vacancies.

3. Time has come when curtains have to be drawn and a settled decision ought not to be unsettled because there will be some citizens aggrieved with one decision or the other. This Court has to decide on the touch-stone of reasonableness whether every such prayer is required to be entertained and relief granted.

4. None of these petitioners was applicant at the time of the advertisement. The explanation given is that they have been fighting for their right thereafter before various forums and now they want this Court to give a direction to waive the age limitation and allow them to apply for the post of Librarians.

5. The process initiated in the year 2008 must end now and the dispute is not required to be added thereto by giving any kind of relief to these petitioners.

6. For the reasons indicated above, writ application is dismissed.



(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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