

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16477 of 2008

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Upendra Prasad Yadav, son of Bindeshwar Yadav, resident of village-
Sanapatti, P.O. Auraha, P.S. Laukahi, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The D.G. cum I.G. of Police, Bihar, Patna
3. The D.I.G. of Police, B.M.P. Zone- Muzaffarpur
4. The Commandant .B.M.P., Darbhanga
5. The Commandant, B.M.P.12, Saharsa cum Chairman C.S.C., B.M.P.13, Sri
Satya Narayan Jha

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Hriday Prasad, Advocate

For the Respondent/s : Mr. Satyendra Kr. Jha, AC to GP-3

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**CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA**

ORAL ORDER

2 18-09-2015 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner seeks a direction upon the respondents to appoint him on the post of constable in BMP-13, Darbhanga against Advertisement No. 2/2004 for selection and appointment of Constable.

The petitioner applied and was declared fit under BC category. It is the stand of the petitioner that his name found place in the merit list whereas two persons who were not placed in the merit list, namely, Navin Kumar and Pramod Kumar, were appointed.

In the counter affidavit filed on behalf of the

respondents admittedly the petitioner's name does find in the waiting-cum-merit list of general candidates at Sl. No. 109 whereas the names of the said Navin Kumar and Pramod Kumar find place at Sl. Nos. 105 and 107 respectively. It is submitted that from the said waiting-cum-merit list 54 posts of the said category were filled up till Sl. No. 107 and for the said reason the petitioner could not be appointed.

No reply to the counter affidavit has been filed on behalf of the petitioner controverting the aforesaid facts.

In the above circumstances, the writ application is dismissed.

(Ramesh Kumar Datta, J)

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