

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1440 of 2015

In

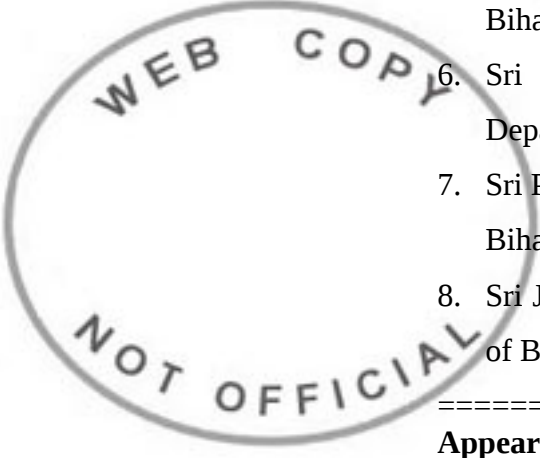
Civil Writ Jurisdiction Case No. 5771 of 2013

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1. Thakur Vivekanand Manoj, Son of Sri Sadanand Thakur, resident of Village & P.O. Phulparas, P.S.- Phulparas, District- Madhubani,
 2. Mani Bhushan, Son of Sri Shankar Sharma, resident of Gandak Colony, ND-1, Quarter No. EP/1, P.O.- Motihari Court, District- East Champaran,
 3. Nishant Kumar, Son of Sri Parmeshwar Prasad, resident of Village- Dumri, P.O.- Khabra, District- Muzaffarpur,
 4. Chandan Kumar, Son of Sri Arvind Mahto, resident of Pilkhi, via- Dholi, District- Muzaffarpur,
 5. Pankaj Kumar, Son of Sri Ramchandra Prasad, resident of Harishchandra Stadium Road (North), Nawadah, District- Nawadah,
 6. Ram Kumar, Son of Sri Shatrughna Prasad Singh, resident of Village- Siwry Gopinathpur, P.O.- Bahilwara Govinda, P.S.-Saraiya, District- Muzaffarpur,
 7. Satya Prakash, Son of Sri Gulab Chand Prasad, presently residing at Ram Babu Mahto Lodge (New), Room No. 15, near River Ganga, P.S.- Sultanganj, District- Patna,
 8. Kumar Samir Verma, Son of Sri Hari Shankar Prasad Verma, resident of Hindu Chakiya, P.O. & P.S.- Bara Chakiya, District- East Champaran,
 9. Laxman Sahni, Son of Sri Ram Chandra Sahni, Resident of Kedia Tola, P.O. & P.S.- Araria, District- Araria,
 10. Shivesh Kumar, Son of Jaikaran Das, resident of Lalchak (Angari), Post- Ishakchak, District- Bhagalpur,
 11. Deepak Kumar Jha, Son of Sri Narendra Jha, resident of Village & P.O.- Garh Baruari, P.S. & District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sri Sudhir Kumar, the Chairman, Bihar Staff Selection Commission, Veterinary College, Patna-800014
3. Sri Parmeshwar Ram, the Secretary, Bihar Staff Selection Commission, Veterinary College, Patna- 800014

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4. Sri Anjani Kumar Singh, Chief Secretary, Govt. of Bihar, Patna.
 5. Sri Amir Subhani, the Principal Secretary, Home Department , Govt. of Bihar, Patna,
 6. Sri Amir Subhani, the Principal Secretary, General Administration Department, Govt. of Bihar, Patna,
 7. Sri P.K. Thakur, the Director General-Cum- Inspector General of Police, Bihar, Patna,
 8. Sri J.S. Gangwar, the Inspector General, Economic Offence Unit, Govt. of Bihar, Patna. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prashant Sinha, Adv.
For the Respondent/s : Mr. Ac to V.N.P. Sinha

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CORAM: HONOURABLE MR. JUSTICE V. NATH
ORAL ORDER

8 16-03-2016 Heard Mr. Vindhayachal Singh, the learned counsel
for the petitioners.

The learned counsel for the respondents has taken a categorical stand that the direction as contained in the order dated 19.02.2015 passed in C.W.J.C. No. 5771 of 2013 has been complied and recommendation of the names of 266 candidates as directed has already been sent. The learned counsel has also in this regard drawn attention of this Court to the annexures annexed with the supplementary show cause filed on 08.02.2016.

The learned counsel for the petitioners has placed the interlocutory application (I.A. No. 2147 of 2016) which has been filed by one Ravi Shankar Sahay stating that he is one of the 266 candidates and the grievance is that though Commission has

recommended his name also along with 266 candidates as earlier directed but the original application form was not sent by the Commission. It has been averred in the petition that the Commission has deliberately and willfully failed to make recommendation of the petitioner, as such, the officials of the Commission are liable to be prosecuted for contempt of court.

It appears that this applicant of I.A. No. 2147 of 2016 was not a party in the writ application. Mr. Singh, the learned counsel for the applicant has submitted that even though he is not the party to the writ application still he is entitled to maintain the interlocutory application for redressal his grievance against the action of the Commission in not sending his original application form due to which, he has not been called for verification.

After considering the averments, this Court finds that the direction as contained in the order dated 19.02.2015 passed in C.W.J.C. No. 5771 of 2013 has now been validly complied and there was no such direction to the Commission to send the original application form of the petitioner.

The contempt application is, accordingly, dismissed. This order, however, shall not prejudice the petitioners to pursue the remedy available to them in accordance with law.

Devendra/-

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(V. Nath, J)