

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No 1891 of 2012**

- =====
1. Ramjee Prasad Son Of Late Gupteshwar Ram Resident Of Village And P.O.-  
Nuanon, P.S.- Krishna Brahma, Distt.- Buxar
  2. Pratima Kumari Daughter Of Sri Rajendra Prasad Village- Habaspur, P.O.-  
Gangahara, P.S.- Shahpur, Distt.- Patna
  3. Sumeendra Kumar Son Of Sri Shiv Narayan Singh Village- Madho Bigha, P.O.-  
Bathani, P.S.- Nimechak Bathani, District- Gaya
  4. Surendra Prasad Son Of Sri Saryug Prasad Village- Basantpur, P.O.- Shobhepur,  
P.S.- Bheldi, Distt.- Saran

.... .... Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resource Development Department, Govt. Of  
Bihar, Patna
3. The Chairman, State Selection Commission, Veterinary College, Patna
4. The Secretary, State Selection Commission, Veterinary College, Patna

.... .... Respondent/s

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For the Appellant/s : M/s Prakash Srivastave & Abhoy Kr Kashyap, Advs

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**CORAM: HON'BLE MR JUSTICE HEMANT GUPTA**  
**&**  
**HON'BLE MR JUSTICE NAVANITI PRASAD SINGH**

**ORAL JUDGMENT**

**(Per: HONOURABLE MR JUSTICE HEMANT GUPTA)**

**Date: 02-03-2016**

The present Letters Patent Appeal is directed against an order dated 07<sup>th</sup> of August 2012, whereby the claim of the writ petitioners/appellants for non-inclusion of their names in the list of Backward Class (Schedule II) Category, was declined.

**2** It appears that list of 34540 persons were approved by the Supreme Court. Admittedly, the names of the writ petitioners/appellants do not appear in the said list. The grievance of

the writ petitioners/appellants is that they have been included in the General Category whereas they belong to the Backward Class (Schedule II) Category. Therefore, they cannot be denied appointment.

3 Since the list has been approved by the Supreme Court, there could not be change in the said list by the High Court. Still further, another advertisement has been issued for fresh recruitments. The writ petitioners/appellants can apply afresh to be considered in accordance with law against the newly advertised post.

4 We do not find any error in the order of the learned Single Judge which warrants interference in the present Letters Patent Appeal. This Letters Patent Appeal is dismissed.

**(Hemant Gupta, J)**

**M.E.H./-**

**(Navaniti Prasad Singh, J)**

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