

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 2309 of 2015

Arising out of

Civil Writ Jurisdiction Case No. 19930 of 2013

- =====
1. Rahul Kumar son of Jai Prakash Tiwari, Resident of Berain Niwas, Near of Sri Ram Mandir, Balughat, District- Muzaffarpur.
 2. Harshbardhan son of Chandra Kishore Singh, Resident of Balughat Braham Asthan, Near Suman Kirana Store, District- Muzaffarpur.
 3. Mukesh Kumar son of Rajeshwar Singh, Resident of Mohallah- New Sikandarpur, Amma Niwas, Near Prabhat Zarda Factory, District- Muzaffarpur.
 4. Pritam Kumar son of Parmanand Kumar, Resident of village- Sahbajpur, P.O.- Bhikhanpur, P.S.- Ahiyapur, District- Muzaffarpur.
 5. Santosh Kumar Mishra son of Braj Mohan Mishra, Resident of Care of Jitendra Jha, New Colony, Balughat Road No. 3, District-Muzaffarpur.
 6. Samrendra Kumar Roy Son of Bipin Kumar, Resident of village- Kalyanpur, Via- Runni Saidpur, P.S.- Aurai, District- Muzaffarpur.
 7. Rajesh Kumar son of Ramnath Singh, Resident of village- Balughat, Near Jungli Mai Asthan, P.S.- Town, District- Muzaffarpur.
 8. Satyendra Kumar son of Late Bhuvneshwar Chaudhary, Resident of village- Surjan Dakri, P.O.- Shitalpatti, Minapur, District- Muzaffarpur.
 9. Upendra Prasad Ray son of Ram Chandra Ray, Resident of village- Panchapatia, Via- Pratappur, District- Saran at Chapra.
 10. Dhiraj Kumar son of Trilokinath Singh, Resident of village & P.O.- Bodha Chapra, P.S.- Avatar Nagar, District- Saran at Chapra.

.... Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chairman, Bihar Staff Selection Commission, Government of Bihar, Patna.
3. Sunil Kumar son of Bramdeo Das, Resident of village-New Bakdah, P.O.- Madhubani, District- Madhubani.
4. Manoj Kumar son of Basant Lal Gupta, Resident of village- Satpura, Opposite Chaudhary Lodge, P.O.- Ramna, District- Muzaffarpur.
5. Bablu Kumar Pandit son of Rajendra Pandit, Resident of village- Mojahida, P.O.- Barhatta, P.S.- Parhatta, District- Khagaria.

.... Respondent/s

=====

Appearance :

For the Appellant/s : Mr. Manoj Kumar

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 20-04-2016

Heard learned counsel for the parties.

2. The challenge in the present Letters Patent Appeal is to an order dated 03.04.2014 passed by the Single Bench of this Court in C.W.J.C. No. 19930 of 2013, whereby the writ application was dismissed.

3. The grievance of the appellants is against the accommodation of 67 Sub Inspectors of Police who were initially appointed and then terminated and are now being reappointed. Such 67 candidates were removed from the list of recommended candidates because they did not provide correct Caste Certificates in time. Those candidates, who failed to provide Caste Certificates, were considered in the general category. The Division Bench of this Court in L.P.A. No. 416 of 2009 directed that all these candidates shall be restored back to their respective positions, meaning thereby that all those candidates, who were removed from the post of Sub-inspector were ordered to be reappointed. The Special Leave Petition (Civil) No. 20279-20280/2009 against the order passed in LPA No. 416 of 2009 stands dismissed, thus the order of this Court stands affirmed.

4. Since the appointment of 67 Sub Inspectors of Police stands confirmed by this Court therefore, we do not find that the appellants can be permitted to dispute the appointment of the 67 candidates again in the present Letters Patent Appeal.

5. In view thereof, we do not find any error in the order passed by the learned single Judge, which may warrant interference in the present intra court appeal.

6. The Letters Patent Appeal stands dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

P. Kumar/Sujit

U			
---	--	--	--