

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1916 of 2016

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Namita Sinha D/o Janardan Prasad Singh Resident of Rai Sadan IInd (Second)
Floor Juran Chapra, Road No. 3, P.O. Head Post Office Muzaffarpur, District -
Muzaffarpur Pin - 842001

.... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Food and Civil Supplies, Government of Bihar, Patna At
Old Secretariat, Bihar
3. The Managing Director, Bihar State Food and Civil Supplies Corporation Ltd.,
Khadya Bhawan, Daroga Rai Path, R. Block Road No. 2, Patna 1
4. Nodal Officer, Bihar State Food and Civil Supplies Corporation Ltd. C/o
B.C.E.C.E., Board, I.A.S. Bhawan, Near Patna Airport, P.O. B.V. College, Patna 14

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajendra Narain, Sr.Adv.
Mr. Anand Kr. Singh, Adv.

For the Respondent/s : Mr. Ravi Verma, AC to GP-4

For BSFC : Mr. Shailendra Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 20-09-2017

Heard Mr. Rajendra Narain, learned Senior Counsel
appearing for the petitioner, Mr. Shailendra Kumar Singh, learned
counsel for the Corporation and the learned counsel for the State.

The petitioner prays for implementation of the policy
decision of the State Government which, inter alia, provides for 2%
horizontal reservation to the legal heirs of Freedom Fighter, to be ear-
marked against the general category seats, as circulated vide Memo
No. 13185 dated 3.9.2015, a copy of which is part of Annexure 2
series at running page 34 of the writ petition.

Mr. Narain, learned Senior Counsel for the petitioner, while



arguing as such does not dispute that advertisement for appointment of Assistant Manager and the Assistant Accounts was issued by the Corporation on 13.8.2015 i.e. prior to enforcement of the policy decision and which advertisement had no such stipulations.

Law is well settled on the issue and neither the Rules in a selection process can be changed midway nor a policy decision can have a retrospective effect on a selection process already initiated. No cause for indulgence is made out in the circumstances explained.

The writ petition is disposed of.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.09.2017
Transmission Date	NA

