

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3355 of 2017

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Shambhu Sharan Singh, Son of Late Mahima Sharan Singh, Resident of 9/5, North Srikrishnapuri, P.S.- Srikrishnapuri, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Joint Secretary, General Administration Department, Government of Bihar, Patna.
4. The Private Secretary to the Hon'ble Governor, Raj Bhawan, Patna, Bihar.
5. The Selection Committee through its Chairman, Bihar Legislative Council.
6. The Search Committee through its Chairman General Administration Department, Government of Bihar, Patna.
7. Mr. Justice R.K. Dutta, son of not known to the petitioner through Principal Secretary, General Administration Department, Government of Bihar, Patna.
8. Mr. Justice Shyam Kishore Sharma, son of not known to the petitioner through Principal Secretary, General Administration Department, Government of Bihar, Patna.
9. Mr. Justice Gopal Prasad, son of not known to the petitioner through Principal Secretary, General Administration Department, Government of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Shambhu Sharan singh, Advocate
For the Respondent/s : Mr. Lalit Kishore, Advocate General
Mr. Manish Dhari Singh, AC to AG
For the Respondent No.4 : Mr. Rajendra Kumar Giri, Advocate
For Respondent No.5 : Mr. Kaushal Kr. Jha, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 31-07-2017

Having heard learned counsel for the parties and on petitioner's own showing it is seen that the appointment has been made on the basis of the recommendation made by a Committee constituted under Section 4 of the Bihar Lokayukta Act, 2011 and contention of the petitioner is that when there were four names in the



list, he questions as to why a particular individual was appointed without appointing another person in the list. In our considered view, once the Committee, statutory in nature constituted under Section 4 of the Act had made recommendation and the Government has accepted the recommendation, in the absence of there being any material to show that the statutory requirement was violated merely because another person, whose name also figures in the list, has not been appointed, it is not appropriate for a Writ Court exercising jurisdiction under Article 226 of the Constitution to interfere in the matter.

Accordingly, finding no ground, we see no reason to make any indulgence into the matter. The writ petition stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.08.2017
Transmission Date	

