

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.6204 of 2012

In

Civil Writ Jurisdiction Case No.20175 of 2011

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Sanu Kumar, aged about 28 years, S/o Shashi Bhusan Pandey, R/o Village-
Pakri, P.O- Kalyanpur, P.S- Bihiya, District- Bhojpur at Arah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. Abhyanand, The Director General of Police, Bihar, Patna.
3. Mr. A.K. Upadhyay, The Additional Director General of Police Head Quarter,
Bihar, Patna.
4. Dr. Kamal Kishore Singh, The Deputy Inspector General of Police, Patna
Renge.
5. Mr. Nagendra Pd. Singh, The Commandant Bihar Military Police-4, Dumrao
(BUXAR)

... .. Respondent/s

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Appearance :

For the Petitioner/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL JUDGMENT

Date : 20-09-2017

Inter alia contending that an order passed on
28.08.2012 in C.W.J.C. No. 20175 of 2011 has not been
complied with, this application has been filed for initiating
action for contempt.



The order in question is a short order and reads as under:-

“This writ petition has been filed for a direction to the respondent for appointment of the petitioner on non joining vacant post of Water Carrear (Jalwahak).

Upon hearing learned counsel for the parties, the writ petition is disposed of with a direction that if the post is vacant in that recruitment year and the name of the petitioner finds figure in the select list, he shall be given appointment.”

From the show-cause filed by the respondents, it is seen that for appointment of Water Career (Jalwahak), an advertisement bearing no. 01/2010 was published in the local newspaper “Hindustan” notifying availability of 10 vacancies. In pursuance to the advertisement, 9 candidates were appointed and they were joined. One vacancy that arose was again advertised in the year 2011 vide Advertisement No. 01/2011 on 30.07.2011 and two vacancies available were filled up under this advertisement. According to the respondents, the 10 vacancies that were advertised vide Advertisement No. 01/2011 stood filled up in the aforesaid manner and ignoring these facts and without calling for a counter affidavit from the respondents, the writ petition was disposed of on 28.08.2012 after all the 10



posts which were advertised in the year 2010 were filled up.

Taking note of the aforesaid counter affidavit filed,
I see no reason to initiate any action for contempt in the given
facts and circumstances of the case. The application stands
dismissed. In case the petitioner has any grievance, he may
ventilate it in accordance with law.

(Rajendra Menon, CJ)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
Uploading Date	22.09.2017
Transmission Date	

