

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9025 of 2010

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Lalan Kumar Gupta, son of Sri Muni Prasad Gupta, resident of Village Jamunipur, Police Station- Kudra, District Kaimur.

.... Petitioner

Versus

1. The State of Bihar through the Director General and Inspector General of Police, Bihar, Patna.
2. The Inspector General of Police, Patna Zone, Patna.
3. The Deputy Inspector General of Police (Personnel) Bihar, Patna.
4. The Deputy Inspector General of Police, Sahabad Range at Dehri-On-Sone.
5. The Chairman, Constable Selection Board, Sahabad Range (Board No.1)-cum- Superintendent of Police, Gaya.
6. The Superintendent of Police, Bhojpur at Arrah.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar
Mr. Ranjeet Kumar
For the Respondent/s : Mr. AC to GP-13

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 28-04-2017 Heard Sri Sunil Kumar, learned counsel for the petitioner and learned AC to Govt. Pleader no.13.

The petitioner has approached this Court, invoking its writ jurisdiction under Article-226 of the Constitution of India, with a prayer to command the Respondents to approve the name of the petitioner for appointment as constable. It has been pleaded that pursuant to an Advertisement no.1/2004, which was published in the year 2004 for selection of constable in the different districts of State of Bihar, the petitioner applied and participated in the test. Thereafter, on three occasions, list was published. In the 3rd list, i.e. merit-cum-waiting list, the petitioner's name had appeared.



However, without any rhyme and reason, the selection of the petitioner was refused and in his place one Santosh Prasad was shown to be selected in the final list. It was argued that Santosh Prasad's name has not appeared in the list of successful EBC category candidates, which was prepared for the district of Bhojpur at Ara. On the aforesaid ground, it has been prayed for directing the Respondents to select the petitioner as constable.

Of course, an oral submission was made that one Santosh Prasad was selected. However, in the writ petition, the said person has not been impleaded as party Respondent. However, it is not a case that the petitioner's name was included in the final selection list. Only his name had appeared in the waiting list. On the ground that the petitioner's name was included in the waiting list, as a matter of right the petitioner is not entitled to claim appointment.

Considering the fact that the matter pertains to selection/appointment of constable pursuant to advertisement published in the year 2004, there is no reason to interfere with the matter. The writ petition stands dismissed.

(Rakesh Kumar, J)

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