

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1042 of 2017

IN

Civil Writ Jurisdiction Case No. 15845 of 2016

- =====
1. Pranav Anand, son of Ram Pravesh Rai, resident of village+ P.O.- Gulzarpur, P.S.- Sahar, District- Bhojpur (Ara).
 2. Sonu Kumar, son of Shankar Prasad Yadav, resident of At+P.O.- Temtha, P.S.- Parbatta, District- Khagaria. Appellant/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Agricultural Department, Government of Bihar, Patna.
3. The Agriculture Director, Bihar, Patna.
4. The Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna- 14.
5. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna- 14.
6. Mantu Kumar Yadav, father's name and address not known to the petitioner,
7. Ram Vishal Yadav, father's name and address not known to the petitioner,
8. Nitish Kumar, father's name and address not known to the petitioner,
9. Sanjeev Kumar, father's name and address not known to the petitioner,
10. Rajeev Nayan, son of Sri Nawal Prasad Singh, resident of village- Malikpur, P.S.- Akbarpur, District- Nawada.
11. Sumit Kumar Singh, son of Ram Babu Singh, resident of village- Dhankaul, P.S.- Simri, District- Darbhanga.
12. Amit Kumar Pandey, son of Manik Chand Pandey, resident of village- Damodarpur, P.S.- Garwar, District- Balia (U.P.).
13. Ghanshyampur Kumar, son of Uma Shankar, resident of New Area Nawada, Hanuman Nagar, Nawada, Bihar.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dinu Kumar, Advocate
Mr. Arvind Kumar Sharma, Advocate
Mr. Ritu Raj, Advocate
For the Respondent/s : Mr. Sarvesh Kr. Singh, AAG-13
For the Commission : Mr. Lalit Kishore, Advocate General
Mr. S. S. Sundram, 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: 08-11-2017

Having heard learned counsel for the parties, we find
that the learned Writ Court has not decided the issue in question on
merit finding the Bihar Staff Selection Commission to be seized of the



matter and finalization of the recruitment subject to objections to be decided by the Commission has left it to the Commission to take a decision. We are informed today that the Commission has considered the objection and final decision has already been taken, which is to be published and all concerned would be notified.

Once the Commission is seized of the matter, when the decision of the Commission would be notified, the aggrieved person may challenge the same afresh in accordance with law.

In the present circumstances, when the Writ Court did not go into the merit of the matter and left it to the discretion of the Government to pass an order, we are not inclined to interfere into the matter. After the commission takes a decision in the matter, in case the writ petitioner or any persons have any grievance, they may challenge the decision of the Commission or the select list prepared, in accordance with law.

With the aforesaid observation, this appeal stands disposed of.

(Rajendra Menon, CJ)

Uday/-

(Anil Kumar Upadhyay, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.11.2017
Transmission Date	NA

