

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.183 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 12118 of 2015**

- =====
1. Mantosh Kumar Son of Indradeo Singh resident of village Salempur, P.O. Jakhim, P.S. Rafiganj, District Aurangabad.
 2. Manorama Kumari D/O Ram Prasad Yadav, resident of village Amarapur (West), P.O., Dosma, P.S. Rafiganj, District Aurangabad.
 3. Puja Kumari D/O. Dinesh Singh resident of village Karmahi, P.O. Sonsa, P.S. Daud Nagar, District Aurangabad.
 4. Baijanti Kumari D/O Ram Vijay Prasad Yadav, resident of village Daboor, P.S. Konch, District Gaya.

.... Appellant/s

Versus

1. The State of Bihar through Secretary, Home Department, Government of Bihar, Old Secretariat, Bihar, Patna.
2. Director General of Police, Bihar, Patna.
3. The Superintendent of Police, Aurangabad.
4. The Chairman, Central Selection Board of Constable, Bihar, Patna.
5. The Secretary, Central Selection Board of Constable, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Lal Bahadur Singh
For the Respondent/s :

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**CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH**

ORAL JUDGMENT

**(Per: HONOURABLE THE ACTING CHIEF JUSTICE)
Date: 16-02-2017**

Heard learned counsel for the parties.

2. The challenge in the present Letters Patent Appeal is to an order dated 5th of November, 2015 passed by the learned Single Bench of this Court in C.W.J.C. No. 12118 of 2015 whereby, the writ petition filed by the appellants claiming appointment to the post of Constable remained unsuccessful.

3. The learned Single Bench found that the appellants



were lower in the merit list and, therefore, could not be appointed.

4. The argument made by the learned counsel for the appellants is that the merit list was not published. Even if the merit list was not published, that will not give right to the appellants to seek appointment as the appellants ranked lower in the merit and that fact has not been controverted.

5. In view of the said fact, we do not find any error in the order passed by the learned Single Bench. The Letters Patent Appeal is, accordingly, dismissed.

(Hemant Gupta, ACJ)

(Sudhir Singh, J)

Amin/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	
Transmission Date	

