

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1521 of 2013

In

Civil Writ Jurisdiction Case No. 17038 of 2012

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1. Mukti Lal Sahu Son Of Sri Ishwari Lal Sahu Resident Of Village - Nahari, P.S. - Laukaha, District - Madhubani
 2. Bhola Prasad Yadav Son Of Bhutai Yadav Resident Of Village - Balua, P.S. - Laukahi, District - Madhubani
 3. Binod Kumar Singh S/O Satya Deo Mahto Resident Of Village - Balawakhar, P.S. Phulparas, District - Madhubani
 4. Ashok Kumar Salhaita S/O Sri Bidyanand Salhaita Resident Of Village - Nahri, P.S. - Laukha, District - Madhubani
 5. Keshav Kishore Mahto Son Of Mohan Mahto Resident Of Village - Bakbakhar, P.S. - Phulparas, District - Madhubani
 6. Digambar Prasad Sahu Son Of Sri Subh Narayan Sahu Resident Of Village - Ratauli, P.S. - Phulparas, Distt. - Madhubani
 7. Umesh Kumar Son Of Ram Udgar Yadav Resident Of Village - Hudra, P.S. - Khutauna, District - Madhubani
 8. Ramakant Gurmaita Son Of Jai Lal Gurmaita Resident Of Village - Khushyalpatti, P.S. - Khutauna, District - Madhubani
 9. Uma Kant Salhaita Son Of Jai Kishun Salhaita Resident Of Village - Nahri, P.S. - Laukha, District - Madhubani
 10. Ram Bilash Yadav Son Of Mani Lal Yadav Resident Of Village - Balanpatti, Majhaura, P.S. - Laukha, District - Madhubani
 11. Shiv Kumar Yadav Son Of Kapileshwar Yadav Resident Of Village - Mahadewa, P.S. - Phulparas, District - Madhubani
 12. Yogeshwar Mahto Son Of Ram Deo Mahto Village - Udhwabara, P.S. - Laukha, District - Madhubani
 13. Ram Sewak Sah Son Of Jhari Lal Sah Resident Of Village - Mahdewa, P.S. - Phulparas, District - Madhubani
 14. Ganga Ram Sah Son Of Ram Krishna Sah Resident Of Village - Kalripatti, P.S. - Khutuna, District - Madhubani
 15. Suresh Prasad Sahu Son Of Sunder Lal Sahu Resident Of Village - Kariaut, P.S. Laukahi, District - Madhubani
 16. Ram Sewak Sahu Son Of Jugeshwar Sahu Resident Of Village - Kalripatti, P.S. - Khutuna, District - Madhubani
 17. Bipin Kumar Son Of Sital Prasad Resident Of Village - Kuribon, P.S. - Laukhi, District - Madhubani
 18. Hari Nandan Sahu Son Of Bhagirath Sahu Resident Of Village - Suryahi, P.S. - Phulparas, Distt. - Madhubani
 19. Raj Lal Sahu Son Of Sri Bijal Sahu Resident Of Village - Nahri, P.S. - Laukha, District - Madhubani
 20. Sanat Kumar Yadav Son Of Chait Lal Yadav Resident Of Village - Ekama, Sirsiya, P.S. - Laukha, District - Madhubani
 21. Ramdeo Yadav Son Of Boai Lal Yadav Resident Of Village - Kamalpur, P.S. Laukha, District - Madhubani
 22. Bindeshwar Yadav Son Of Jaleshwar Yadav Resident Of Village - Kamalpur, P.S. Laukha, District - Madhubani
 23. Yogendra Prasad Yadav Son Of Keshwar Yadav Resident Of Village - Kamalpur, P.O. - Kamalpur, P.S. - Laukha, Distt. - Madhubani
 24. Jiwanarayan Yadav Son Of Jagdeo Yadav Resident Of Village -



- Kamalpur, P.S. Laukha, District - Madhubani
25. Ram Chandra Yadav S/O Raj Deo Yadav Resident Of Village - Saharwa, P.S. - Laukha, Distt. - Madhubani
26. Sam Narayan Sahu Son Of Mahendra Sahu Resident Of Village - Baurha, P.S. - Laukha, District - Madhubani
27. Bilkashan Mahto Son Of Bilat Mahto Resident Of Village - Bardahi, P.S. - Babuhdhi, District - Madhubani
28. Shyamnandan Mahto Son Of Kusheshwar Mahto Resident Of Village - Bardahi, P.S. - Babuhdhi, District - Madhubani
29. Surya Narayan Singh Son Of Jai Lal Singh Resident Of Village - Nabhatoli, P.S. - Ladanaiya, District - Madhubani
30. Kameshwar Prasad Son Of Rameshwar Prasad Resident Of Village - Balua, P.S. - Kaluahi, District - Madhubani
31. Birendra Kumar Singh Son Of Sukhdeo Singh Resident Of Village - Bhaiyapatti, P.S. - Basopatti, District - Madhubani
32. Manjelal Mahaseth Son Of Devlal Mahaseth Resident Of Village - Nahri, P.S. - Laukha, District - Madhubani
33. Anil Kumar Manjhi Son Of Ramdeo Manjhi Resident Of Village - Chaturbhuj Piprahi, P.S. - Laukaha, District - Madhubani
34. Sahdeo Prasad Sahu Son Of Kailu Sah Resident Of Village - Kulhariya, P.S. - Marauna, District - Supaul
35. Radhe Shyam Gupta Son Of Ram Chandra Sah Resident Of Village - Kulhariya, P.S. - Marauna, District - Supaul
36. Radhe Shyam Gupta Son Of Ram Chandra Sah Resident Of Village - Kulhariya, P.S. - Marauna, District - Supaul
37. Rampukar Sah Son Of Rashik Lal Sahu Village - Dhabtiyahi, Ps. - Laukahi, District - Madhubani
38. Ram Narayan Sah Son Of Pulkit Sahu Village - Pakariya, P.S. - Laukahi, District - Madhubani
39. Ram Krishna Sah Son Of Rangi Lal Sah Resident Of Village - Manginpatti, P.S. - Laukhi, District - Madhubani
40. Aklal Sah Son Of Parbhu Narayan Sah Resident Of Village - Jolhiniya, P.S. - Pipra, District - Supaul
41. Ram Kumar Ranjan Son Of Bhagbat Yadav Village - Dhanhi, P.S. - Laukahi, District - Madhubani
42. Phoolchand Sah Son Of Chedi Sah Resident Of Village - Kulhariya, P.S. - Marauna, District - Supaul
43. Ramchandra Yadav Son Of Ram Murti Yadav Resident Of Village - Phulparas, P.S. - Phulparas, Distt. - Madhubani
44. Hari Narayan Yadav Son Of Jiwachh Yadav Resident Of Village - Phulparas, Ps. - Phulparas, District - Madhubani
45. Kasindra Sah Son Of Raghubir Sah Village - Akdara, P.S. - Khutouna, District - Madhubani
46. Dasrath Yadav Son Of Ramdeo Yadav Resident Of Village - Balanpatti, P.S. Laukha, District - Madhubani
47. Shruti Lal Sahu Son Of Ishwari Lal Sahu Resident Of Village - Nahri, P.S. - Laukha, District - Madhubani
48. Suresh Prasad Sahu Son Of Bachelal Sahu Resident Of Village - Parasahi, Sirshiya, P.S. - Laukha, District - Madhubani
49. Chedi Prasad Sah Son Of Bilat Sah Resident Of Village - Godamtola, P.S. - Ladaniya, District - Madhubani
50. Jiwachh Prasad Yadav Son Of Kailu Yadav Resident Of Village -



- Parsahi Sirsiya, P.S. - Laukha, District - Madhubani
51. Dilip Kumar Sahu Son Of Dhanik Lal Sahu Resident Of Village - Parsahi Sirsiya, P.S. - Laukha, District - Madhubani
52. Jai Prakash Son Of Jeewan Salhaita Resident Of Village - Narhi, P.S. - Laukha, District - Madhubani
53. Tarkeshwar Tarait Son Of Ram Sewak Tarait Resident Of Village - Parsahi Sirsiya, P.S. - Laukha, District - Madhubani
54. Bechan Yadav Son Of Dukhi Yadav Resident Of Village - Kalripatti, P.S. - Khutauna, District - Madhubani
55. Gauri Shankar Sahu Son Of Uddan Sahu Resident Of Village - Kulhariya, P.S. - Marauna, District - Supaul
56. Rash Bihari Singh Son Of Rajeshwar Singh Resident Of Village - Pasahi Siddap, P.S. - Ladaniya, District - Madhubani
57. Ram Gulam Mandal Son Of Late Janak Lal Mandal Resident Of Village - Chikni Tol, P.S. - Laukahi, District - Madhubani
58. Rajdeo Prasad Singh Son Of Thakai Singh Resident Of Village - Kuriban, P.S. - Laukahi, District - Madhubani
59. Raj Kumar Yadav Son Of Tej Narayan Yadav Resident Of Village - Dhawahi, P.S. - Laukhi, District - Madhubani
60. Rampukar Yadav Son Of Yamuna Yadav Resident Of Village - Dhabhi, P.S. - Laukhi District - Madhubani
61. Satrudhan Prasad Yadav Son Of Sonelal Yadav Resident Of Village - Balua, P.S. - Laukhi, District - Madhubani
62. Anand Bihari Yadav Son Of Pritam Yadav Resident Of Village - Phokchaha, P.S. - Madhepur, District - Madhubani
63. Kushilal Sahu Son Of Nand Lal Sahu Resident Of Village - Manshapur, P.S. - Laukhi, District - Madhubani
64. Shivnath Yadav Son Of Tulai Yadav Resident Of Village - Dhanouja, P.S. - Phulparas, District - Madhubani
65. Jaikant Yadav Son Of Guran Yadav Resident Of Village - Dhanauja, P.S. - Phulparas, District - Madhubani
66. Deo Warat Sahu Son Of Rameshwar Sahu Resident Of Village - Sonbarsha, P.S. - Laukhi, District - Madhubani
67. Raj Kumar Sahu Son Of Late Parmeshwar Sahu Resident Of Village - Balua, P.S. - Phulparas, District - Madhubani
68. Chandrika Kumari D/O Of Ganga Prasad Yadav Resident Of Village - Dhabhi, P.S. - Laukhi District - Madhubani
69. Satyanarayan Yadav Son Of Dev Lal Yadav Resident Of Village - Phulparas, P.S. - Phulparas, Distt. - Madhubani
70. Ram Chandra Yadav Son Of Ram Babu Yadav Resident Of Village - Kishnupatti, P.S. - Phulparas, District - Madhubani
71. Keshav Narayan Yadav Son Of Jahani Yadav Resident Of Village - Phulparas, P.S. - Phulparas, District - Madhubani
72. Raj Deo Yadav Son Of Janak Dhari Yadav Resident Of Village - Sihula, P.S. - Khutauna, District - Madhubani
73. Binod Kumar Son Of Kameshwar Hazara Resident Of Village - Nahari, P.S. - Laukaha, District - Madhubani
74. Bindeshwar Prasad Yadav Son Of Mouzelal Yadav Resident Of Village - Narhiya, P.S. - Laukhi, District - Madhubani
75. Kameshwar Prasad Yadav Son Of Adhik Lal Yadav Resident Of Village - Narhiya, P.S. - Laukhi, District - Madhubani
76. Satya Narayan Prasad Sah Son Of Krishna Prasad Sah Resident Of



Village - Mansapur, P.S. - Laukhi, District - Madhubani
77. Rameshwar Prasad Sahu Son Of Prabhu Sahu Resident Of Village - Path Rahi, P.S.- Laukha, District - Madhubani
78. Kamal Pd. Kunwar Son Of Luchai Kunwar Resident Of Village - Delha, P.S. - Phulparas, District - Madhubani
79. Mithilesh Kumar Sahu Son Of Surya Narayan Sahu Resident Of Village - Ratauli, P.S. - Phulparas, Distt. - Madhubani
80. Birendra Kumar Son Of Shubh Narayan Sah Resident Of Village - Ratauli, P.S. - Phulparas, Distt. - Madhubani
81. Baidya Nath Yadav Son Of Kashinara Yadav Resident Of Village - Paintah, P.S. - Phulparas, Distt. - Madhubani
82. Pramod Kumar Goit Son Of Nageshwar Goet Resident Of Village - Hudra, P.S. - Khutauna, District - Madhubani
83. Shashi Bhushan Goit Son Of Bishundeo Goit Resident Of Village - Parashi, P.S. - Khutauna, District - Madhubani
84. Nawodh Kumar Goet Son Of Kailu Goet Resident Of Village - Parsahi, P.S. - Khutauna, District - Madhubani
85. Ramashish Mahto Son Of Gangai Mahto Resident Of Village - Kharagboni, P.S. - Babu Barahi, District - Madhubani
86. Ram Parikshan Choudhary Son Of Laxmi Choudhary Resident Of Village - Khojpur, P.S. - Babu Barahi, Distt. - Madhubani
87. Ram Chandra Prasad Son Of Mintri Prasad Resident Of Village - Udhaba Bara , P.S. - Laukha Madhubani
88. Bidyanand Goit Son Of Ram Keshwar Goit Resident Of Village - Udhaba Bara , P.S. - Laukha, Distt. - Madhubani

.... Appellant/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. Of Bihar, Patna
2. The Principal Secretary, Human Resources Development Department, Bihar, Patna
3. The Bihar Staff Selection Commission, Bihar through Its Secretary, Govt. Of Bihar Patna
4. The Secretary, Bihar Staff Selection Commission, Patna

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ebrahim Kabir
Ms Shruti Sinha
Mr Kumar Rajeev
For the Respondent/s : Mr. M.D.Singh, AC to PAAG 1

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)



4 23-02-2017 Heard counsel for the appellants and counsel for the State.

Perused the order of the learned Single Judge. The learned Single Judge besides the facts which he has taken note of, has also categorically held that no direction can be issued for appointment against vacancies in question because the entire vacancy was ordered to be filled up on the direction of the Hon'ble Supreme Court and appointments had already been made and people had worked and some of them have even superannuated. In view of the above, any claim before the High Court is a misplaced effort on the part of the appellants.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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