

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.935 of 2017
IN
Civil Writ Jurisdiction Case No. 7436 of 2017**

- =====
1. Akhil Bhartiya Takniki Yuva Chhatra Sangh, Near H.P. Gas Godown, Vikas Nagar, Kurji, District- Patna through its National President, Anubhav Raj, son of Shri Devendra Ray, resident of At- Sundarpur, P.O.- Karauta, P.S.- Salimpur, District- Patna.
 2. Khushboo Kumari, daughter of Shri Baidya Nath Roy, resident of Village- Deshrajpur, Ward No. 22, P.O.+ P.S.- Mahnar, District- Vaishali.
 3. Ashish Ranjan, son of Shri Devendra Ray, resident of At- Sundarpur, P.O.- Karauta, P.S.- Salimpur, District- Patna.
 4. Hari Om, Son of Baidyanath Singh, resident of Village+ P.O.- Tarari, P.S.- Daudnagar, District- Aurangabad.
 5. Akanksha Kumari, daughter of Shri Awadh Kishore Chaurasia, resident of At- Pitanjhia, P.O.- Jamalpur Gogri, P.S.- Gogri, District- Khagaria.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Bihar, Patna.
2. Principal Secretary, Science and Technology Department, Bihar, Patna.
3. Bihar Public Service Commission, Patna through its Secretary
4. Chairman, Bihar Public Service Commission, Patna.
5. Secretary, Bihar Public Service Commission, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Abhinav Srivastava, Advocate
For the Respondent/s : Mr. Saroj, Advocate
For B.S.F.C. : Mr. Mr. Zaki Haider, 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: 05-07-2017

Seeking exception to an order dated 19.5.2017 passed by the learned Writ Court in C.W.J.C. No.7436 of 2017, this appeal has been filed under Clause 10 of the Letters Patent.

An advertisement was issued on 3.3.2017 and challenging a clause in the advertisement with regard to age criteria, after a period of more than two years, the writ petition was filed and the learned Writ Court observed as under:

“The advertisement is dated 3.3.2017 when the petitioners herein were within full knowledge as regarding the ineligibility clause of the Advertisement yet they never chose to take legal recourse within stipulated time have luxuriously filed the writ petition. The delayed action does not persuade this court to exercise extraordinary writ jurisdiction for a vigilant litigant is a sine qua non for seeking remedy under such jurisdiction.”

Having observed thus, the learned Writ Court rejected the prayer.

Keeping in view the aforesaid reasons that were



pointed out by the learned Writ Court for rejecting the claim, we find no ground for taking any action in the present matter.

The appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	15.7.2017
Transmission Date	N/A

