

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.266 of 2018

1. Sumit Kumar Gupta, Son of Sachida Nand Prasad, resident of Village Bagaura, Post Bagaura, P.S. Daraunda District Siwan (Bihar), Pin 841404.
2. Shashi Bhushan Son of Surya Narayan Barnwal, C/o Jawahar Lal Barnwal, Kirana Dukan, Near Kamla Cinema Hall, Mahisori Chowk, Jamui District Jamui 811307.
3. Kapil Kumar Sah, Son of Jay Narayan Sah, C/o Prakash Kumar Sah, at Hatta Chowk, near Patrol Pump, Kursa Kanta, District- Araria, Bihar Pin- 8514331.
4. Ajay Kumar, Son of Nand Lal, Village Karwan, P.O. Daulaipur, P.S.- Bhagwangan, Patna Bihar 804452.
5. Suman Shekhar Son of Om Prakash Barnawal, at Sangeet Samrat, Budhauri Chowk, Sheikhpura, District- Sheikhpura, Bihar 811105.
6. Brajesh Kumar Gupta, son of Laxman Sah, Village Hethua, Post Hethua, P.S. Rajpur, Buxar, Bihar 802122.
7. Vindiyachal Kumar, Son of Bhagwan Singh, resident of Village and Post- Siyadih, Bhojpur, Bihar 802223.
8. Birendra Kumar, Son of Mahendra Prasad Gupta, at and P.O. Simraha, P.S. Simraha, Araria, Bihar 854318.
9. Mukesh Kumar, Son of Rameshwar Yadav, Village and P.O. Jalkawa, P.S. Sonbarsa, District Sitamarhi, Bihar 843330.
10. Shankar Kumar, Son of Chhote Sahni, Malahi Pakri, near S S Hospital, Kankarbagh, Lohia Nagar, Patna Bihar 800020
11. Naveen Kumar, Son of Ramchandra Prasad Yadav, at Maharas Post Sarbella, Via Simri, Bakhtiarpur, Saharsa, Bihar 852127.
12. Hittler Kumar Saxena, Son of Ram Prasad Singh, at Katarya P.O. Akauni, P.S. Daud Nagar, Aurangabad, Bihar 824113.
13. Guddu Kumar, Son of Birendra Sah, Village Rampurwa, P.S. Rampurwa Bazaar, P.S. Govindganj, East Champaran, Bihar 845458.
14. Mithilesh Kumar, Son of Dinesh Rai, resident of E-16, Birla Colony (near Shiv Mandir) Phulwari Sharif, P.S. Phulwari Sharif, District- Patna, Bihar 801505.
15. Mukesh Kumar, Son of Rameshwar Prasad Yadav, resident of C-18, Birla Colony, Phulwari Sharif, P.S. Phulwari Sharif, District Patna, Bihar 801505.
16. Vikash Kumar, son of Baleshwar Thakur, resident of Chhoti Jhiktia, P.O. and P.S. Mahesh Khunt, Khagaria, Bihar 851213.
17. Pramesh Kumar, Son of Surya Narayan Das, resident of Village Adia, Post Baraharawa Kalan, P.S. Kotwa East Champaran, Bihar 845437.
18. Kumar Gaurabh Son of Ram Nath Raman, Resident of Village Amha, P.O. Amha, P.S. Supaul Ward No.09, Supaul, Bihar 852108.
19. Hari Shankar Prasad, son of Prabhu Dayal Sah, resident of Village Mahinawan Bazar, P.O. and P.S. Maner, Patna Bihar 801108.
20. Abhishek Kumar, Son of Ghanshyam Sah, resident of Mahna, P.S. Barauni, District- Begusarai, Bihar 851210.
21. Suman Saurav, Son of Mithilesh Kumar, resident of Sandh, P.O. Bahapar Nalanda Pin 801304, Bihar.
22. Danchandra Sahu, son of Hari Narayan Sahu, resident of Village Finglas, P.O. Finglas Via Jiya Ram Raghopur, District Supaul, Bihar Pin 852111.
23. Sujeet Kumar, Son of Shiv Shankar Sah, resident of Post Office Road, P.O. and P.S. Chakai Bazar, District Jamui Bihar 811303.
24. Sarvjeet Kumar, Son of Rama Shankar Prasad Village Maner Balu Paar, PO



- Maner, District Patna Bihar 801108.
25. Dharamveer Kumar, Son of Arun Kumar, South Mandiri Kathpur, Near New Hanuman Mandir, P.O. G.P.O., P.S. Budha Colony, District- Patna 800001, Bihar.
 26. Vimal Kumar, Son of Vijay Prasad, Village and P.O. and P.S. Nagarnausa, Nalanda, Bihar, 801305.
 27. Sailesh Kumar, Son of Uday Prasad, resident of Ramjee Chak, Digha, Yadav Gali, P.O. Bataganj, P.S. Digha, Patna Bihar 800018.
 28. Jitendra Bhushan Son of Bhola Prasad, resident of Mittan Ghat, near the Masjid Gurhatta, Patna City, Patna Bihar 800008.
 29. Abhinay Kumar, Son of Om Prakash Singh, resident of Village and P.O. Rusulpur Karigawn, P.S. Goran Vaishali, Bihar 844114.
 30. Ajeet Kumar, Son of Ganesh Prasad Village Nargadda, P.O. Jamsaut, P.S. Shahpur, Patna Bihar 801503.
 31. Sudesh Kumar, Son of Subodh Kumar Singh, resident of Khushalpur, P.O. Singhnan, P.S. Rajaun, Banka, Bihar 813105.
 32. Mukesh Kumar Sinha, Son of Ashok Kumar Sinha, Resident of Village and P.O. Bahadurganj, District Kishanganj, Bihar 855101.
 33. Satish Kumar Son of Megh Nath Singh, resident of BNR road, Pathai Ghat, Chai Tola, P.O. Gulzarbagh, P.S. Alamganj, District- Patna, Bihar- 800007.
 34. Vikash Kumar, Son of Satish Kumar, Resident of Village Feku Bigha, P.O. Jalpura, P.S. Arwal, District Arwal, Bihar, 804401.
 35. Niraj Kumar, Son of Trilokinath Sah, resident of Village Patedhi Bhai Khan, Post Anirudh Belsar, District Vaishali, Bihar 844111.
 36. Sonu Kumar, Son of Ram Naresh Choudhary, resident of Village and P.O. Rampur, Kesho, Malahi, Via Saraiya District- Muzaffarpur, Bihar 843126.
 37. Kundan Kumar, Son of Barhmanand Singh, resident of Village Premraj P.O. R Korigawn, P.S. Goraul, District Vaishali, Bihar 844114.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Law Department, Government of Bihar, Patna.
2. The Registrar, Patna High Court, Patna.
3. The Convener, Co-ordination Committee, Patna cum District and Sessions Judge, Patna.
4. The Registrar, District and Sessions Judge, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Arun Kumar No. 1, Advocate
For the High Court	:	Mr. Mrigank Mauli, Advocate
		Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Mithlesh Kr. Upadhyaya, AC to GP 3

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date: 05-09-2018



Heard learned counsel for the petitioner, the respondent State and the High Court.

2. Counsel for the petitioner makes a limited submission that the respondent no. 2 High Court should be bound by their statements made in paragraph 8 of the counter affidavit which reads as follows:

“The marks obtained by the candidates will be disclosed on the website of the Civil Courts of Patna, after completion of the process of appointment for the post of Clerk in the sub-ordinate courts of Bihar.”

3. He submits that in view of such statements if the results are published, the petitioners should be allowed liberty to assail the final outcome of the process, and tomorrow the respondents should not be allowed to contend that since the process has been completed the same cannot be challenged.

4. What will be the outcome of the final selection process and whether the petitioners will have any grievance or not after publication of final result on the website of Civil Court, are the issues which lay in the realm of future probability.

5. It is needless to say that if any irregularity or illegality is committed and the same can be shown in the final result which is to



be published as per statements made in paragraph 8 of the counter affidavit, the petitioner would be at liberty to assail the same in accordance with law.

6. In view of the aforesaid position, no further order needs to be passed.

7. The writ petition is dismissed.

(Madhuresh Prasad, J)

Prakash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

