

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1715 of 2019

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Amit Kumar, aged about 28 years, Gender-Male, Son of Ramanuj Singh,
Resident of Village- Khabhaini Gopal Bigha, P.S. and District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. D.G. of Police, Bihar, Patna.
3. A.D.G. (Wireless), Bihar, Patna.
4. S.P., Wireless, Bihar, Patna.
5. S.P., Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Ms. Shruti Sinha, Adv.
For the Respondent/s : Md. Nadeem Seraj (GP5)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 31-01-2019

The petitioner, who is a Constable and now posted in the District of Nalanda, is aggrieved by the fact that even though he had applied on 14.10.2014 for being absorbed in the Bihar Police Radio Organization on the post of Literate Constable (Operator), *i.e.*, before the cut-off date of 20.10.2014, he was not considered because his application was forwarded by the Unit Head, *i.e.*, the Superintendent of Police, Nalanda on 28.10.2014, which is after the cut-off date in the advertisement.

2. The learned counsel for the petitioner has



submitted that several post of Literate Constables (Operators) are still vacant and it was not for the fault of the petitioner that his application was not forwarded to the Bihar Police Radio Organization on time. Several representations also have been made by the petitioner, but to no avail. The learned counsel for the petitioner has also drawn the attention of this Court that in the past, several such Constables, who had made their applications for being absorbed in the Bihar Police Radio Organization through their Unit Heads, had to approach this Court for seeking direction to the respondent authorities for considering their cases, even though their applications were sent later than the cut-off date, but for which they were not to be faulted.

3. It further appears from the averments made in the writ petition as also from the oral submissions of the learned counsel for the petitioner that such persons who had approached this Court were considered on the strength of the orders passed by different Benches of this Court and have been absorbed on the post of Literate Constables (Operators) in the Bihar Police Radio Organization.



4. This Court finds that the petitioner, pursuant to an advertisement referred to above had applied on 14.10.2014 through the Superintendent of Police, Nalanda as directed in the advertisement, but the application was unfortunately dispatched later than the cut-off date for the receiving of such applications for absorption. Surely, the petitioner cannot be faulted for this. Since the posts are still vacant and wireless/information transmission is an important aspect of policing, no useful purpose would be served in keeping such posts vacant when there are desirous applicants (Constables) working in various Districts Units.

5. Under such circumstances, the petitioner is directed to make a representation before the A.D.G. (Wireless), Bihar, Patna (respondent No. 3) within a period of three weeks from today along with a copy of this order. On receipt of such representation, the A.D.G. (Wireless), Bihar, Patna (respondent No. 3) shall cause the case of the petitioner to be considered for absorption in the Bihar Police Radio Organization and, in case, it is found that it is feasible to do so, would pass necessary orders in accordance with the



law within a period of six weeks thereafter.

6. With the aforesaid observation and direction,
the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	05.02.2019
Transmission Date	N/A

