

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1831 of 2017

In
Civil Writ Jurisdiction Case No.17402 of 2016

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1. Jawahar Lal Ram and Ors Son of Damodar Ram, resident of Village-Lakhnour, P.S. Rupauli, District- Purnea.
 2. Rajnikant, Son of Late Sarveshwar Prasad Singh, resident of Village-Rupauli, P.S. Rupauli, District- Purnea.
 3. Pramod Kumar Singh, Son of Sri Surendra Prasad Singh, resident of Mohalla- Pokhara Muhalla, R.N. College Road, P.S. Town, Hajipur, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home Police , Govt. of Bihar, Patna son of not known.
2. The Director General of Police, Bihar, Patna, namely, Sri P.K. Thakur, son of not known.
3. The Bihar Staff Selection Commission, Patna through its Secretary, namely Sri Yogendra Ram, son of not known.
4. The Chairman, Bihar Staff Selection Commission, Patna, namely Sri Sanjeev Kumar Sinha, son of not known.
5. The Secretary, Bihar Staff Selection Commission, Patna, namely Sri Yogendra Ram, son of not known.
6. The D.I.G. Police, Purnia at Purnia, namely Saurav Kumar, son of not known.
7. The D.I.G. Police, Shahabad at Dehri-on- Sone, namely, Md. Rahman, son of not known.
8. The D.I.G. Police, Munger, namely, Smt. Manju Jha, wife of not known.
9. The D.I.G. Police, Saran at Chapra, namely Sri Ajit Kumar Rai, son of not known.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

For the Opposite Party/s : Mr.Prabhat Kumar Verma - AAG 3

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT

Date : 27-02-2019

Heard learned counsel for the petitioners, Ms.Aparna
Arun, A.C to Mr. Satyabir Bharti learned counsel for the Staff



Selection Commission and Mr. Suman Kumar Jha, A.C. to AAG
3 for the State.

It is complaining noncompliance of the judgment and order of this Court passed in C.W.J.C. No. 17402 of 2016 that this contempt application is filed. This Court while allowing the writ petition issued direction to the Staff Selection Commission to satisfy themselves on the candidature of the petitioners herein along with some others as to whether they were covered under the judgment and order of the Supreme Court enclosed to the writ petition. It was further stipulated that in case these petitioners come under the zone of consideration they should be allowed to participate in the selection.

The Staff Selection Commission has filed a show cause, copy of which has been served on counsel for the petitioner in Court and in reference to the proceedings of the Commission enclosed at Annexure- B at Agenda No 1, Ms. Arun submits that while two of the petitioners herein, were disqualified for applying from two regions, in so far as Pramod Kumar Singh is concerned, it was found that his name was out side the list of candidates and no admit card as well was issued in his name. It is thus submitted that it is on review of the matter that the candidature of the petitioners herein was not found proper and



accordingly cancelled.

Although the copy of the show cause is served on counsel for the petitioner today itself and who also prays for time but in my opinion, in the nature of liberty given to the Commission to examine the candidature of the petitioners before allowing them to participate, if the Commission on examination has not found these petitioners fit for candidature and which has been cancelled, even if such cancellation is assailable before the appropriate forum through appropriate application, it does not constitute a contempt for being proceeded with. While thus, giving a liberty to the petitioners if so aggrieved, to question the decision of the Staff Selection Commission in so far as it proceeds to cancel the candidature of the petitioners for the reasons so mentioned in an appropriate application, the contempt application is disposed of.

(Jyoti Saran, J)

Bibhash

AFR/NAFR	NAFR
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