

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18670 of 2019

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1. Rajeev Kumar, s/o Rameshwar Thakur, r/o Mohalla-Teachers Colony, Charitravan, P.S.-Buxar, District-Buxar.
 2. Rohit Kumar Singh, s/o Shiv Kumar Singh, r/o Ward No. 2, Chhotaipatti, 847337, District-Darbhangha.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
3. The Deputy Secretary, Panchayati Raj Department, Govt. of Bihar, Patna.
4. The Project Director, Bihar Gram Swaraj Yojna Society (BGSYS), 3rd Floor, BISCOAUN Tower, Gandhi Maidan, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ashwini Kumar Rai, Advocate
For the Respondent/s : Mr. Ajay, G.A.5

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL JUDGMENT

Date : 24-09-2019

Heard learned counsel for the parties.

2. Pursuant to an advertisement published on 15.10.2017 for filling up the posts of Block Project Manager (BPM) and Block Facilitator (BF), results were published, based on which appointments have been made. The petitioners were placed in the waiting list.

3. It is the case of the petitioners that though 181 posts of Block Project Manager (BPM) were advertised, only 142 appointments have been made and therefore, this Court should direct the respondents to appoint the petitioners, whose names figure in the waiting list.

4. It is well settled law that inclusion of name of a person in the selection panel does not confer upon him any indefensible right to



be appointed. In the present case, according to the petitioners themselves, they were placed in the waiting list.

5. This Court exercising writ jurisdiction under Article 226 of the Constitution of India, cannot direct the authorities to make appointments from the waiting list. It is not the petitioners’ case that any person below in the merit list, has been appointed ignoring his claim.

6. Learned counsel appearing on behalf of the State of Bihar has raised preliminary objection over maintainability of the writ application on the ground that *Bihar Gram Swaraj Yojna Society (BGSYS)* is not a State within the meaning of Article 12 of the Constitution of India, and, therefore, this writ application under Article 226 of the Constitution of India cannot be maintained. I have not gone into that question for the present, which shall remain open to be decided in future in any other Proceedings.

7. This writ application is, accordingly, disposed of.

(Chakradhari Sharan Singh, J)

S.Ali/-

AFR/NAFR	NAFR
CAV DATE	N.A.
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