

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1447 of 2014

In
Civil Writ Jurisdiction Case No.1819 of 2014

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Sanat Kumar, son of Satyendra Nath Gupta, resident of Usha Niwas, Lalji Tola, Police Station- Gandhi Maidan, District- Patna

... .. Appellant/s

Versus

1. The State Of Bihar through the Transport Commissioner, Vishweshvaraiya Bhawan, New Secretariat, Patna
2. The Secretary, Bihar Staff Selection Commission, Veterinary College, Patna- 14
3. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna- 14
4. Member of Re-Scrutiny Committee, Bihar Staff Selection Commission, Patna, under the Chairmanship of the the Secretary

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Mrigank Mauli, Advocate Mr. Vinay Mistry, Advocate Mr. Sanket, Advocate.
For the Respondent/s	:	Mr.Vinay Kirti Singh, GA 3 Mr. Satyam Shivam Sundaram, Advocate.

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 13-11-2020

Having heard learned counsel for the parties, we are of the considered view that no ground for interference is made in the present appeal.

While disposing of the writ petition being CWJC No. 1819 of 2014, titled as Sanat Kumar vs. The State of Bihar & others, filed by the instant appellant, learned Single Judge



rightly pointed out that the terms of the advertisement were never assailed by the appellant. In fact, in compliance thereof, he voluntarily participated in the selection process. The petitioner could not be selected and as such challenged the advertisement only on the ground that it was not in conformity with the terms forwarded by the requisitioning department.

It is additionally argued that advertisement was not in terms of the relevant rules.

We do not find such plea to have been taken before learned Single Judge. As such, petitioner cannot be allowed to raise the same in the present appeal at such a belated stage.

We see no reason to interfere with the impugned judgment dated 31.3.2014 passed in CWJC No. 1819 of 2014, titled as Sanat Kumar vs. The State of Bihar & others for the reasoning adopted is perfectly sound and legal. The petitioner voluntarily participated in the selection process knowing fully well that he had to fulfil all the terms and conditions stipulated in the advertisement. Also we find that selection process was initiated in the year 2010 and at this point in time, we would also otherwise refrain from exercising any extraordinary jurisdiction, discretionary in nature.



As such, the present appeal being devoid of merit
is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

sujit/-

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