

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21652 of 2019

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1. Md. Sohail Ansari Son of Md. Isa Ansari, Resident of Mohalla-Bagmali, Ward no.5, Hajipur, P.S. Hajipur, District-Vaishali at Hajipur.
 2. Sanjay Kumar Son of Late Nand Kishore Prasad, Resident of A/28C, Vijay Nagar, Hanuman Nagar, P.S. Patrakar Nagar, District-Patna.
 3. Ravindra Kumar Singh Son of Sri Bikramaditya Singh, Resident of Village-Bansohin, P.S. Madhrakh, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Department of Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Bihar Legislative Assembly, Patna through the Secretary.
5. The Adhyaksh, Bihar Legislative Assembly, Patna.
6. The Secretary, Bihar Legislative Assembly, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vijay Kumar Singh
For the Respondent 4-6	:	Mr. Chandra Mauli Chaurasia
For the State	:	Mr. Sanjay Kumar Ghosarvey, A.C. to A.A.G.-3

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

Date : 14-01-2020

Heard learned counsel for the petitioners and learned counsel appearing on behalf of the Bihar Legislative Assembly and learned counsel appearing on behalf State.

The petitioners in this writ application seeks a direction to the respondents authorities to accept the applications submitted by the petitioners which were filed by them through e-mails, as according to them, such rejection of applications for appointment on the post of Class/Group 'D' in the Bihar Legislative Assembly was available to them as they were retrenched Census Employees who had been given the



benefit of one time age relaxation and were thus eligible for appointment to the aforementioned posts.

Learned counsel for the petitioners submits that since their applications were not accepted as they had filed their applications through e-mail, the act of the respondents in rejecting their applications is wholly illegal and would prejudice and cause serious loss to them. He, thus, submits that this Court may issue necessary directions for acceptance of their applications as the selection process is still under way.

Learned counsel appearing on behalf of the Bihar Legislative Assembly has, however, seriously contested the matter and submitted that the process of selection is on and the applications of the petitioners were rejected on account of the reason that they had not followed the instructions as laid down in the advertisement from which it is clear that the applications were to be filed on the website of the Bihar Legislative Assembly which had been stated in the advertisement and no other mode was provided or available to any candidate. It is submitted that if such interference is made by the Courts to accept any application after the dead-line fixed in the advertisement, it will open a floodgate and would also result in creating serious legal wrangles which would ultimately disrupt the process of selection. He further submits that the writ petitioners have not filed their respective applications on the website of the Bihar Legislative Assembly and have filed them on-line through their own respective e-mails which were rejected by the authorities and which is wholly legal and tenable. He, thus, submits that the writ application is devoid of any merit and may be dismissed.

Having considered the entire facts and



circumstances of the case and considering the fact that a website is created by the organizations for filing of application forms for appointment, the process is to bring about transparency in the process of selection and any interference in the matter by the Courts would amount to directing statutory body to violate its own rules. It further appears to this Court that the last date for receipt of applications was 22.11.2018 till 05:00 P.M. and the petitioners have filed their applications forms not on the website, but through their own e-mails which cannot be accepted by this Court as the same is clearly under violation of the stipulations made in the Advertisement (Annexure-6), so published.

In view of the aforementioned facts and circumstances, I am not inclined to interfere in the matter.

The writ application stands dismissed.

(Anjana Mishra, J)

Saif/-

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CAV DATE	N.A.
Uploading Date	14/01/2020
Transmission Date	N.A.

