

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1413 of 2021

Sanjeev Kumar Mishra, Son of Sri Manik Prasad Mishra Resident of
Jyotipuram Colony, Khajpura, P.O. B.V. College P.S. Rajiv Nagar Patna.

... .. Petitioner/s

Versus

1. The Union of India through the Secretary Ministry of Law and Justice, Government of India 4th Floor A-Wing, Shastri Bhawan, New Delhi, Delhi 110001.
2. The Secretary Ministry of Law and Justice, Government of India 4th Floor, A-Wing, Shastri Bhawan, New Delhi, Delhi 110001
3. The High Court of Judicature at Patna through its Registrar General Patna High Court Patna.
4. The Registrar General High Court of Judicature at Patna Patna High Court Patna.
5. The State of Bihar through the Chief Secretary Government of Bihar Main Secretariat Patna.
6. The Chief Secretary Government of Bihar Main Secretariat Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar Mishra, Advocate
For the Respondent/s	:	Mr.Dr.K.N.Singh, A.S.G.
		Mr. Prabhat Kumar, Verma, AAG 3
		Mr. Kumar Priya Ranjan, Advocate

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 03-03-2021 Petitioner has prayed for the following relief(s):-

“(i) For issuance of an appropriate writ in the nature of mandamus commanding the respondent authorities to fill up the all vacant sanctioned post of the Hon’ble Patna High Court in light of the total strength fixed by the respondent authorities in the facts and circumstances of the case.

(ii) For issuance of an appropriate writ or writs



by giving direction upon the respondent authorities to recommend the name of the judicial officers in their roaster in view of section 16 of the Bihar Superior Service Rule 1951 and in consonance with the judgment of the Hon'ble Apex Court.

(iii) For direction upon the respondent authorities to take effects for filling up the vacancies prior to six months at least from the date of superannuation of the Judge just to avoid further vacancies.

(iv) Any other order or orders as to Your Lordships may deem fit and proper in the facts and circumstances of the case.”

Dr. K.N.Singh, learned Additional Solicitor General has rightly invites our attention not only with regard to issue of maintainability of the present petition but also that Hon'ble the Supreme Court seized of the matter.

In view thereof, we dispose of the present petition without expressing any opinion on the merits.

(Sanjay Karol, CJ)

(S. Kumar, J)

sujit/-

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