

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19073 of 2018

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1. Arun Kumar Singh, Son of Sri Nawal Kishore Singh, Resident of Village-Pahadpur, P.O.-Khodaibag, District-Saran at Chapra.
 2. Rajiv Ranjan, Son of Sri Vidhya Prasad, Resident of Village+P.O.-Phulwariya, District-Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Agriculture, New Secretariat, Patna, Bihar.
2. The Agriculture Production Commissioner, New Secretariat, Patna.
3. The District Magistrate, Saran at Chapra.
4. The District Agriculture Officer-Cum-Member Secretary, Selection Committee, Saran at Chapra.
5. The Joint Director of Agriculture, Saran Division, Saran at Chapra.
6. Block Selection Committee, Saran at Chapra, through its Secretary.
7. The District Agriculture Officer-Cum-Member Secretary, Kishan Salahkar Chayan Samiti, Saran at Chapra

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindhayachal Singh, Sr. Advocate Mr. Vipin Kumar Singh, Advocate Ms. Nikita Mittal, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, GP-14

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-11-2022 The petitioners have assailed the order dated 18.12.2015 cancelling the stipendiary selection of the petitioners as *Kisan Salahkar* on account of certain infirmities in the process of selection.

Mr. Bindhyachal Singh, learned Senior Counsel appearing for the petitioners submits that similar cancellation of selection was assailed in CWJC No.1563 of 2016, wherein this Court has interfered with the cancellation. He submits that the



petitioners' case is covered by the said decision since the order has been passed without complying with the principles of natural justice.

The Court would find from the pleadings that the selection as *Kisan Salahkar* firstly, is not a Government service. It is for ensuring that the farmers are provided with some advisory assistance. The order which has been impugned is of 18.12.2015, whereas the writ petition has been filed nearly three years later i.e., September, 2018. The pleadings make it apparent that only after writ application (CWJC No.1563 of 2016) was allowed, that the petitioners have moved this Court. In the pleadings also there is no averment that after issuance of the impugned order the petitioners have taken any steps. Law in this regard is clear.

The petitioners are considered by this Court to be fence-sitters, as per decision of the Apex Court in the case of ***Chairman/Managing Director, U.P. Power Corporation Limited Vs. Ram Gopal (2020 SCC OnLine SC 101)***. The Apex Court in the said decision has held that fence-sitters cannot be permitted to barge into Courts and cry for their rights at their convenience, and that vigilant citizens ought not to be treated alike with mere opportunist. Therefore, this Court is not inclined



to invoke jurisdiction in their favour; more so having regard to
the nature of the claim of selection.

Writ petition is dismissed.

(Madhuresh Prasad, J)

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