

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10402 of 2021

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1. Nirodh Das Son of Mohan Das Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 2. Ranjeet Kumar Roushan Son of Bhola Sah Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 3. Rajesh Kumar Son of Late Prabhu Poddar Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 4. Rakesh Kumar Son of Suresh Chaudhary Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 5. Chandrahash Kumar Son of Nawal Yadav Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 6. Niraj Son of Prahlad Prasad Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 7. Arun Kumar Son of Narayan Mandal Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 8. Ranjeet Kumar Son of Chandradeo Mandal Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.
 9. Sunil Kumar Son of Deo Narayan Sah Resident of Village- Maraiya, P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Home, Government of Bihar, Patna.
2. The Director General of Police, Government of Bihar, Patna.
3. The Superintendent of Police, Naugachhia.
4. The Superintendent of Police, Banka.
5. The Superintendent of Police, Bhagalpur.
6. The Superintendent of Police, Munger.
7. The Superintendent of Police, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Singh
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 25-02-2022

The matter is heard via video conferencing.



Heard learned counsels for the parties.

In the instant petition, petitioners have prayed for following reliefs:-

“(i) For issuance of any appropriate writ or writs, rule or direction especially in the nature of mandamus commanding and directing the respondents to make selection to the petitioners on the post of constable in Bihar Police force as they are successful candidate in their written and physical test taken by the respondent authorities in the light of advertisement no. 1/2004 as well as advertisement no. 02/2004 respectively.

(ii) For issuance of any appropriate writ or writs, order or orders, rule or direction especially in the nature of mandamus directing the respondents to disposed of the representation submitted by these petitioners in the light of directions issued by this Hon’ble Court as well as by the Hon’ble Apex Court with regard to selection of the constable in Bihar Police force in connection with advertisement no. 01/2004 as well as advertisement no. 02/2004.

(iii) For issuance of any appropriate writ or writs, order or orders, Rule or direction as your lordship may deem fit and proper to the facts and circumstances of the case as well as for which the petitioners may be found entitled there too.”

Aforesaid relief is not supported by legal/ statutory



right followed by demand before the competent authority. The aforesaid ingredients are not forthcoming in the present petition. In the light of Apex Court's decision rendered in the case of ***Mani Subrat Jain V. State of Haryana & Ors.*** reported in ***A.I.R. 1977 SC 276***, present petition is not maintainable.

Accordingly, the present petition stands dismissed reserving liberty to the petitioners to prefer necessary representation establishing legal or statutory right so as to seek the relief sought in the present petition. If such representation is submitted within a period of eight weeks from the date of receipt of this order, the concerned respondent is hereby directed to decide the same within a reasonable period of time.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	04.03.2022
Transmission Date	

