

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13892 of 2021

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Nityanand, Son of Late Budhan Singh Permanent Resident of Village-Prataptand, P.S. Bhagwanpur, Dist. Vaishali, Presently resides at Mohalla. Shivpuri, Professor Colony, Patna-23

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Home Department, Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Additional Director General of Police, Crime Investigation Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Satish Kumar Sinha, Advocate
		Mr. Prabhakar Singh, Advocate
For the Respondent/s	:	Mr. Lalit Kishore, AG
		Mr. Pawan Kumar, AC to AG

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-12-2022

Heard learned counsel for the parties.

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

(A) A writ in the nature of mandamus or any other appropriate writ/s order/s direction/s for the following:-

- (i). To fill up all the vacant post of Director, Additional Director and Deputy Director in all the Forensic Science Laboratories of the State of Bihar, including the Forensic Science Laboratory, Patna, with a competent persons, having required qualification and experience for the said post forthwith, as envisaged in Appendix – 99 of Bihar Police Manual, either by way of regular appointment or contractual appointment.



- (ii). To restrain the respondent to take the work of Director, Additional Director and Deputy Director, giving the additional charge to the Assistant Director of the concerned laboratory.
- (B) Any other relief/s for which the petitioner is found entitled to.

We are satisfied of the steps taken by the State of Bihar in having the matter, pending before Hon'ble the Supreme Court, taken to its logical end. Special mention was made before Hon'ble the Chief Justice of India on 30th of November, 2022 when the State was directed to make a mention before another Hon'ble Judge.

Learned Advocate General has placed on record communication dated 30th of November, 2022, evidencing the fact that Senior Advocate stands engaged for making special mention before another Bench headed by Hon'ble Mr. Justice K.M. Joseph, Judge, Supreme Court of India.

Learned Advocate General states that with the outcome of the decision in the proceedings pending before Hon'ble the Supreme Court, the State would, any which way, take steps for filling up the vacancy.

Statement accepted and taken on record.

In this view of the matter, we close the proceedings, for no direction can be issued by this Court to fill up the post of Director, Additional Director, Deputy Director in Forensic



Science Laboratories within the Home Department, State of Bihar, till such time the matter is decided by Hon’ble the Supreme Court.

Liberty reserved to the petitioner or any other public spirited person, to pursue the matter afresh, on the same and subsequent cause of action, should the need so arise.

The present petition stands disposed of in the aforesaid terms.

Interlocutory Application(s), if any, shall stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

Amrendra/PKP

AFR/NAFR	
CAV DATE	
Uploading Date	03.12.2022
Transmission Date	

