

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1336 of 2020

In
Civil Writ Jurisdiction Case No.7454 of 2019

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1. Arjun Kumar Son of Sita Ram Singh, Resident of Village - Chainpur Dhaka, P.s. - Dhaka, District- East Champaran (Bihar).
 2. Bindeshwari Paswan Son of Rajendra Paswan, Resident of Village - Mangraha, P.s. - Chiraiya, District- East Champaran (Bihar).
 3. Punyadeo Ram son of Nandu Ram Resident of Village - Bherkhiya, P.s. - Pipra, District- East Champaran (Bihar).
 4. Uttam Kumar Giri Son of Krishna Giri Resident of Village - Sohanpura, P.s. - Pipra, District- East Champaran (Bihar).

... .. Petitioner/s

Versus

1. State of Bihar Bihar.
2. Sri Deepak Kumar, Chief Secretary, Bihar, Patna.
3. Sri Aamir Subhani, Principal Secretary, Home (Police) Department, Bihar, Patna.
4. Sri Shirsat Kapil Ashok, District Magistrate, East Champaran, Motihari.
5. Smt. Megha Kaushik In-Charge Officer, District General Section, East Champaran (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Giri

For the Opposite Party/s : Mr. Madhaw Prasad Yadav, GP -23

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

6 21-09-2022 Heard Mr. Raju Giri, the learned Advocate for

the petitioners and Mr. Madhaw Prasad Yadav, the learned

G.P. No. 23 for the State.

On the assertion of the petitioners that the result

of the selection process which had begun in the year 2017

had not yet been published, notwithstanding the fact that



the entire process was complete, this Court vide order dated 02.05.2019 passed in C.W.J.C. No. 7454 of 2019 directed the petitioners to make a representation before the District Magistrate, East Champaran, Motihari, who was put under an obligation to look into the matter and if he found that the selection process is complete in all respects, the result had to be published within a period of three months thereafter.

Mr. Giri, the learned Advocate has submitted that instead of following the directions of this Court, the entire process of formulating the final list was re-worked and the reservation policy was given a re-look, thereby changing the entire tenor of the appointment process which had begun pursuant to an advertisement which was issued a long time back.

In response to the aforesaid assertions of the petitioners, the State has taken the plea that during the course of finalizing the merit list category-wise, some anomalies in the reservation roster came to the notice of selection committee and accordingly it was revised and



sent for approval to the Commissioner, Tirhut Division. After some time, it was approved and then guidelines were sought from the General Administration Department, Bihar, Patna vide letters dated 07.06.2022 and 16.06.2022 which too was replied. The roster was approved and thereafter the result has been published.

The learned counsel for the petitioners, however, has submitted that the selection process was complete and only the result had to be taken out. The process had been carried out in accordance with the advertisement which was issued before the selection process began and with the passage of time, the State was not entitled to change the terms of the advertisement.

From the perusal of the reply filed by the State, it appears that only the anomaly in the reservation roster has been removed and though belatedly, for which necessary explanation has been given by the State, the result has been published.

This Court thus does not find any justification for continuing with the contempt petition.



However, if the petitioners are aggrieved by the formulation of the final result, it could be challenged by them, if so advised, before an appropriate forum.

With the aforesaid observation, the petition is dismissed.

The records of this case are consigned.

(Ashutosh Kumar, J)

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