

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8180 of 2018

1. Ravi Ranjan, son of Sudhir Kumar Sharma, resident of Village and Post-Solra, Police Station- Paraiya, District- Gaya.
2. Priya Ranjan Kumar, son of Arvind Kumar, resident of Village- Bisunpur, Police Station- Ghoshi, District- Jehanabad.
3. Naveen Kumar, son of Ram Sunder Sharma, resident of Village- Dehuni, Police Station- Ghoshi, District- Jehanabad.
4. Chandra Shekhar Azad, son of Suresh Singh, resident of Village- Ark Dibriya, Police Station- Tekari, District- Gaya.
5. Satyendra Kumar son of Shashi Bhushan Sharma resident of Village- Bagahi, Police Station- Paraiya, District- Gaya.
6. Brajendra Dev, son of Ram Pravesh Singh, resident of Village- Galimapur, Police Station- Shakurabad, District- Jehanabad.
7. Dhananjay Kumar, son of Bajrangi Singh, resident of Village and Post-Tuturkhi, Police Station- Konch, District- Gaya.
8. Harendra Kumar, son of Vijay Prasad, resident of Village- Keshopur Nonhi, Police Station- Kako, District- Jehanabad.
9. Vikash Kumar Rajendra Singh, resident of Village- Jhunathi Khurd, Police Station- Paras Bigha, District- Jehanabad.
10. Raj Kumar Pradeshi, son of Deo Kumar Singh, resident of Village- Sheo Balak Bigha, Police Station- Mehandia, District- Arwal.
11. Kangres Kumar, son of Jawahar Mahto, resident of Village- Mai, Police Station- Kako, District- Jehanabad.
12. Benktesh Kumar, son of Surendra Sharma, resident of Village- Sowal, Police Station- Tekari, District- Gaya.
13. Navin Kumar, son of Late Rama Shankar Prasad, resident of Village and P.O.- Manjhiwan, Police Station- Kurtha, District- Arwal.
14. Dheeraj Kumar, son of Sohan Sharma, resident of Kanaiya Chack, P.O. and Police Station- Kinjer, District- Arwal.
15. Mahendra Kumar, son of Sri Ganauri Singh, resident of Village- Mubarakpur, P.O. and P.S./ Kurtha, District- Arwal.
16. Akhilesh Kumar, son of Ramun Singh, resident of Village- Alalpur, P.O. Ark Dhibaria, Police Station- Tekari, District- Gaya.
17. Randhir Kumar, son of Ram Balak Singh, resident of Village- Bikaipur, Police Station- Atri, District- Gaya.
18. Raj Ballabh Prasad Yadav, son of Gokhul Prasad Yadav, resident of Village- Dadpur, Police Station- Fatehpur, District- Gaya.
19. Payod Kumar Singh, son of Yadubansh Singh, resident of Village- Madapur, Police Station- Buniyadganj, District- Gaya.
20. Pramod Kumar, son of Sri Rajendra Singh, resident of Village- Chaurhar, Police Station- Magadh Medical, District- Gaya.



21. Manjesh Kumar, son of Shyamdeo Singh, resident of Village- Urbishunpur, Police Station- Tekari, District- Gaya.
22. Ajit Kumar, son of Shyam Kishor Sinha, resident of Village- Khaneta, Police Station- Belaganj, District- Gaya.
23. Bachchu Prasad Yadav, son of Somar Prasad, resident of Village- Kalludi, Police Station- Tankuppa, District- Gaya.
24. Niranjan Kumar Singh, son of Sri Vijay Kumar Singh, resident of Village- Nawada, Police Station- Sherghati, District- Gaya.
25. Santosh Kumar, son of Gyan Chand Sao, resident of Village- Purhara, Police Station- Haspura, District- Aurangabad.
26. Rajiv Kumar, son of Ram Das Sharma, resident of Village- Ark Devariya, Police Station- Tekari, District- Gaya.
27. Ram Pravesh Singh, son of Shivrat Singh, resident of Village- Jay Bigaha, Police Station- Makhdumpur, District- Jehanabad.
28. Ashutosh Kant, son of Mahendra Prasad Singh, resident of Village- Goh, Police Station- Goh, District- Aurangabad.
29. Sanjay Kumar, son of Late Shree Krishna Dev Prasad Singh, resident of Village- A.T. Gate Kaler, P.O. Civil Aerodram, District- Gaya.
30. Keshaw Kumar, son of Nanho Singh, resident of Village and P.O.- Obra, District- Aurangabad.
31. Makhan Kumar son of Satendra Sharma, resident of Village- Paibigha, Police Station- Men, District- Gaya.
32. Mukesh Kumar, son of Vijy Kumar, resident of Village- Basar, Police Station- Attri, District- Gaya.
33. Kamal Kant Dwivedi, son of Arvind Nath Dwivedi, resident of Village- Bishunpura, Police Station- Parasi, District- Arwal.

... .. Petitioner/s

Versus

1. The Punjab National Bank, Through The Chief Manager, Circle Officer, Gaya, Inspection and Audit Department, R.J. Place, Rai Kashinath More, Gaya- 823001, P.S.- Gaya, District- Gaya.
2. The Punjab National Bank through the Chief Manager, Circle Officer, Gaya, Inspection and Audit Department, R.J. Place, Rai Kashinath More, Gaya- 823001, P.S.- Gaya, District- Gaya.
3. The Punjab National Bank through the Deputy Chief of Circle Office, R.J. Place, Rai Kashinath More, Gaya- 823001, P.S.- Gaya, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Dr. Uma Shankar Prasad, Sr.Advocate
Mr. Dineshwar Prasad Singh, Advocate
For the Respondent/s : Dr. Pankaj, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD



ORAL JUDGMENT
Date : 11-07-2022

Heard Dr. Uma Shankar Prasad, learned Senior Counsel representing the petitioners and the learned counsel for the respondent-Bank.

2. The writ application has been filed seeking quashing of a communication dated 27.03.2018, whereby information has been sent as per requisition made by the petitioners, that the process of selection of Armed Guards initiated by employment notice dated 10.10.2017 has been scrapped.

3. The writ application was filed raising an issue that the scrapping of the selection process is arbitrary and without assigning any reasons.

4. The Court under earlier order had directed the respondent-Bank to disclose the reason. In compliance thereof, a supplementary counter affidavit has been filed.

5. Before considering the reasons assigned by the respondent-Bank, this Court would observe that it is not in dispute that the process initiated under advertisement dated 10.10.2017 never culminated in issuance of a merit list or select list. The process was carried until verification of documents, and thereafter abandoned. Therefore, no right had ever



been vested in the petitioners for selection.

6. In so far as their right for consideration is concerned, the cancellation has been justified by the respondents in the supplementary counter affidavit by stating that as per the working strength of Armed Guards on 19.09.2016, the advertisement had been issued. In between 2017-2018 and 2018-2019, the approved manpower plan did not leave any scope for any further appointments. In view of such assessment of the requisite manpower, the process was abandoned.

7. This Court would observe that the number of persons required for any particular job is within the exclusive administrative policy/domain of the authority having regard to the availability of work. Because an advertisement has been issued, the applicants cannot insist that the same must lead to appointment, as a result of the process of selection.

8. The reason assigned by the respondent-Bank for abandoning the process based on policy with respect to the requisite manpower is an exclusive administrative policy decision. Also the petitioners were never declared selected and therefore would have no vested right to be appointed. This Court is thus not inclined to interfere with the impugned



communication.

9. The writ application is dismissed.

(Madhuresh Prasad, J)

PNM

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	NA

