

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.623 of 2021

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1. Rajendra Kumar Jha, Son of Ramlochan Jha, Resident of Village- Marukia, Chatra Gobaura Uttar, P.O. Marukia, P.S.-Khajauli, District- Madhubani, Bihar- 847228.
 2. Ajit Kumar Singh, Son of Ram Pukar Singh, Resident of Village- Marukia, P.O. Marukia, P.S.-Khajauli, District- Madhubani, Bihar-847228.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home Police, Government of Bihar, Old Secretariat, Patna.
2. The Director General-cum-Inspector General of Police, Govt. of Bihar, Old Secretariat, Patna.
3. The Superintendent of Police Darbhanga-cum-Chairman Constable Selection Board, Darbhanga Range.
4. The Superintendent of Police, Madhubani-cum-Chairman, Mithila Rang Constable Selection Board, Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Rabindra Nath Kanth, Advocate
For the Respondent/s : Mr. Lalit Kishore (AG)

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

Date : 01-02-2022

This matter is heard via video conferencing due to circumstances prevailing on account of COVID-19 Pandemic.

2. Heard learned counsel for the parties.

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

“That this is an application for issuance of appropriate writ, Order or Directions to the Respondents to consider the case of Petitioners for their selection and appointment on the post of Constable, as the petitioners have qualified in the Physical Fitness Test carried out by the respondents authorities for selection



and appointment on the post of Constable, in pursuance to Advertisement No.01/2004, 02/2004, 03/2004 dated 08-02-2004 published for filling the posts of Constables in the different districts of the State of Bihar.”

4. If the petitioners’ grievance is allowed, in that event 3rd party right would be affected. The petitioners have not impleaded such of those persons, whose rights are likely to be affected.

5. Accordingly, the present petition is dismissed for non-joinder of necessary and proper parties in the light of the Apex Court decision in the case of **Ranjan Kumar & Ors. Vs. The State of Bihar & Ors.**, reported in (2014) 16 SCC 187 (Para 3 to 13) reserving liberty to the petitioners to file fresh petition in accordance with law.

(P. B. Bajanthri, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	04..02.2022
Transmission Date	NA

