

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.407 of 2023

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Devendra Prasad Son of Shri Ramjanam Singh Resident of Village
Pandeypur, P.S. Neura, District Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Chief Secretary, Govt. of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Govt. of Bihar, Patna.
4. The Additional Secretary, General Administration Department, Govt. of Bihar, Patna.
5. The Joint Secretary, General Administration Department, Govt. of Bihar, Patna.
6. The Chairman, Union Public Service Commission, New Delhi.
7. The Secretary, Union Public Service Commission, New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Koushlendra Narayan, Adv
For the Respondent/s	:	Mr.P.K. Verma (AAG3)
		Mr. Kaushal Kumar Jha, Sr. Adv
		Mr. Amish Kumar, Adv
		Mr. Sanjay Kumar Ghosarvay, AC to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 31-01-2023

Heard learned counsel for the parties.

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

“i) For that issuance of a writ in the nature of certiorari or any other appropriate writ for quashing of entire selection process of Non SCS Officer of appointing to the Indian Administration Services (IAS) of the Bihar Cadre as per list prepared for the year 2021 and further for issuance of a writ in the nature of mandamus commanding the respondents to initiate afresh appointment/selection process giving full opportunity to all the eligible and



competent officers to be a part of the aforesaid selection process, of ALTERNATIVELY.

ii) For issuance of writ in the nature of mandamus or any other appropriate writ/direction/order for commanding the respondent concerned to extend the date of acceptance of proposal by the different department of State for selection of Non SCS Officer of appointing to the Indian Administration Services (IAS) of the Bihar Cadre and to provide opportunity to several eligible and competent officer to be added in selection of of 2021 for the aforesaid purposes in view of representation made by the Engineering Services Co-ordination Committee, Bihar vide its letter No. 11/22 dated 08.08.2022.

iii) For issuance of writ in the nature of mandamus or any other appropriate writ commanding the Respondents authorities to refrain from conducting scrutiny of service records and to conduct interview, which is proposed to be held on 18.01.2023 and 19.01.2023 till the disposal of the present PIL.”

Mr. Kaushal Kumar Jha, learned senior counsel states that entire selection process stands completed and pursuant thereto appointments have been made. Learned counsel also refers to and seeks reliance upon the decision rendered by a co-ordinate bench of this Court vide judgment and order dated 09.09.2022 passed in **CWJC No. 13173 of 2022 (Titled as Bipin Kumar Vs. State of Bihar & Ors).**

We are in agreement with the learned counsel for the respondents that the petition needs only rejection for the reason that it does not disclose sufficient material warranting interference by this Court in the selection of Non SCS Officers. How and in what manner, the respondents have not adhered to



the mandate of law is not emanating from the record. The allegations of nepotism and favouritism is also not substantiated. Who is the beneficiary and on whose asking such favours are granted is not disclosed in the petition.

As such, we dispose of the present petition, reserving liberty to the petitioner to take recourse to such remedies as are otherwise available to him in accordance with law.

Interlocutory application, if any, shall also stand disposed of.

(Sanjay Karol, CJ)

(Partha Sarthy, J)

ranjan/rajiv-

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

