

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19475 of 2016

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Laddan Ansari Son of Md. Hanif, resident of village- Shiv Bazar, P.O.-
Bhagwan Bazar, P.S. Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary Education Deptmnt,
Government of Bihar, Patna.
2. The Bihar Public Service Commission, Patna.
3. The Nodal Officer-cum-Special Executive Officer, B.P.S.C. Patna.
4. The Section Officer-cum- Public Information Officer, B.P.S.C. Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Mishra, Advocate withdraw Mr. Ravi Prakash Dwivedi, Advocate
For the State	:	Mr. Sunil Kumar Mandal, SC 3 Mr. Bipin Kumar, AC to SC 3
For the B.P.S.C.	:	Mr. Sanjay Pandey, Advocate withdraw Mr. Nishant Kumar Jha, Advocate

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 15-02-2023 Heard the parties.

2. The petitioner raises a stale and old claim for seeking appointment against an advertisement of 1996 for which selections were conducted for the post of Primary Teachers. It is his claim that he was in the select list and he should have been offered appointment. The respondents have filed their reply and it has been stated as under:

*“9. That the reply made in para-13 by
the commission, who informed the petitioner vide*



its letter no. 871 dated 1.8.2016 in the light of R.T.I. application that Roll No. 870304 has secured 40 marks and his reservation category is General (01). He also informed that cut off marks of EBC category regarding Advertisement No. 57/2 1996, Saran District. The petitioner could not be declared successful finally because he has secured 40 marks which is lesser than the cut off marks 45 in the General Category.”

3. Keeping in view that the petitioner was unsuccessful to reach up to the cut-of-marks, the claim of the petitioner for consideration for appointment is not made out in the General category. The petitioner has further claimed to be a candidate of BC (5) category. However, the respondents have stated as under:

“14. That if the petitioner was placed the name of petitioner in correct manner and correct category as BC (5) candidate which cut of marks of last selected candidate was 32 and the petitioner was having the Higher marks of 40. Than the petitioner must be selected for the said post and could not face such mental harassment and mental Igony uptill now for depriving the petitioner from his legal right and claim over the said post and suffered a lot due to wrongful illegal act of the respondents authorities for their vested interest.”

4. At such a belated stage, filing of a petition in the year 2016 relating to selection conducted in 1996, culminating into appointment made in 1999, no order can be passed after such a long period. No reasons have come forward for not approaching the Court timely suffers from gross laches and delay.



5. The petition stands dismissed.

(Sanjeev Prakash Sharma, J)

P. Kumar
Item No. 40

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