

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9540 of 2015

=====

Ravi Bhushan Sahay S/o Dr. Ashok Kumar Sinha Resident of Mohalla Ram
Nagar, Police Station Chas, District Bokaro Jharkhand. Petitioner/s
Versus

1. The State Of Bihar.
2. The Principal Secretary, General Administration Department, Government
of Bihar.
3. The Bihar Public Service Commission through its Chairman, Bailey Road,
Patna.
4. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.
5. Shri Prakash S/o Not known Resident of Not known, P.S. Not known,
District Not known.
6. Arif Hasan S/o Not known Resident of Not known, P.S. Not known, District
Not known.
7. Sunil Kumar S/o Not known Resident of Not known, P.S. Not known,
District Not known.
8. Gyan Ranjan S/o Not known Resident of Not known, P.S. Not known,
District Not known.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Tej Bahadur Singh, Sr. Advocate
	:	Mr. Basant Kumar Singh, Advocate
	:	Mr. Vishesh Kr. Singh, Advocate
For the Respondent/s	:	Mr. Sunil Kr. Mandal, SC 3
	:	Mr. Arjun Prasad, AC to SC 3

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL JUDGMENT

Date : 16-08-2023

1. The present petition has been filed seeking the
following relief :-

*“(i) For issuance of an appropriate direction
upon the official respondents for reworking the
recommendation and consequent allocation to
the Bihar Administrative Service and appoint
the petitioner on the post of Deputy Collector.”*

2. At the outset, the learned counsel for the Bihar Public



Service Commission, Patna has referred to a judgment dated 19.03.2012, rendered by a co-ordinate Bench of this Court in C.W.J.C. no. 3699 of 2012, as has been upheld by the Ld. Division Bench of this Court vide order dated 26.02.2013, passed in ***L.P.A. no. 1329 of 2012***, to submit that similar issue has already stood adjudicated and it has been held that grievance regarding wrong allotment of service cannot be raised belatedly, after lapse of a reasonable time i.e. after nine years.

3. It is contended that in the present case also, the petitioner was appointed in the year 2002 and had continued to serve as a Public Relation Officer in the Department of Public Relations, Government of Bihar, Patna, without any demur or protest and suddenly in the year 2011, i.e. after lapse of about 09 years, he has sought to raise grievance regarding wrong allotment of service, which is impermissible. In fact, the selection process of the 42nd Combined Competitive Examination has already stood concluded in the year 2002, with recommendations having been made by the Bihar Public Service Commission in the year, 2002, itself, whereafter it has become *functus officio*, hence, at this juncture, nothing survives for consideration in the present writ petition.

4. Having considered the aforesaid submissions put forth by the learned counsel for the Bihar Public Service



Commission, Patna, not refuted by the learned Senior counsel for the petitioner, this Court finds that the present case is squarely covered by the Judgments rendered by the Ld. Division Bench and a Co-ordinate Bench of this Court, as aforesaid, hence the present writ petition is devoid of any merit, thus stands dismissed.

(Mohit Kumar Shah, J)

rinkee/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.08.2023
Transmission Date	NA

