

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11711 of 2022

1. Kanhaiya Singh Son of Ram Naresh Singh, Resident of Village- Mahraniya, Police Station- Darighaw, District- Rohtas.
2. Urmila Kumari, D/o Shree Tetar Singh, Resident of Village- Sanjhauli, Police Station- Sanjhauli, District- Rohtas.
3. Birendra Kumar, Son of Lakshan Singh, Resident of Village- Lohradih, Police Station- Tilothu, District- Rohtas.
4. Santosh Kumar Singh, Son of Bihari Singh, Resident of Village- Gajaundha, Police Station- Shiv Sagar, District- Rohtas.
5. Amit Kumar, Son of Hari Lal Singh, Resident of Mohalla- Takiya Ward No. 02 Post Office- Takiya Bazar, Police Station- Sasaram, District- Rohtas.
6. Prithvi Singh Azad Son of Rajbansh Singh, Resident of Village- Jhali, Police Station- Kramchath, District- Kaimur at Bhabua.
7. Shashikant Paswan, Son of Dwarika Paswan, Resident of Village- Shonpur, Police Station- Shivsagar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Bihar, Patna.
3. The Additional Secretary to the Government, Department of General Administration, Bihar, Patna.
4. The District Magistrate, Rohtas at Sasaram.
5. The Deputy Collector (Establishment), Rohtas at Sasaram.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Adv
For the Respondent/s : Mr.Sheo Shankar Prasad (SC-8)

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

- 3 05-10-2023 1. Heard learned counsel for the petitioners and learned counsel for the State.
2. The petitioners' claim for being appointed in group-D post in the Rohtas Collectariate by virtue of their empanelment is not being granted by the authority in view of



judgment passed in CWJC No. 18612 of 2019, wherein, the Court has passed certain directions which are to be followed in the matter of appointment to group-D post.

3. The learned counsel for the petitioners submits that the petitioners would be availing their remedy in accordance with law. He submits that they are adversely affected by decision of this Court in the case of CWJC No. 18612 of 2019 (Kapil Kumar & Ors. Vs. The State of Bihar & Ors. and analogous cases). Though they were not party to the said proceedings it is as a result of the order passed in CWJC No. 18612 of 2019 that the impugned order dated 23-06-2020 has been passed.

4. The Court *prima facie* finds that the order impugned in the petition is of June 2020, nearly 3 years old.

5. However, since the petitioners seek liberty to avail the remedies in respect of the order passed in CWJC No. 18612 of 2019, either by filing Review in terms of decision of the Hon'ble Apex Court in the case of ***Shivdev Singh & Ors. v. State of Punjab & Ors.*** reported in ***AIR 1963 SC 1909***, or by filing LPA in terms of decision of the Hon'ble Apex Court in the case of ***Ram Janam Singh Vs. State of Uttar Pradesh & Anr.***, reported in ***AIR 1994 SC 1722***, the writ petitions are



disposed of leaving it open to the petitioners to avail remedies in
accordance with law.

(Madhuresh Prasad, J)

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