

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1073 of 2019

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1. Varunendra, S/o Ravindra Kumar Resident of Village-Brindaban, P.S. Chitu Tola Dist.-Gopalgan pin-841410
 2. Manjeet Kumar Pahtak, S/o Madhur Murari Pathak, Resident of village Dhusariyan, P.S. Barhara, Dist.-Bhojpur, Pin-802163
 3. Kumar Rishikant Anand, S/o Sudarshan Ram resident of Village-Bhitti, P.S. Mohania, Dist.-Kaimur(Bhabua),Pin-821109
 4. Guddu Kumar, S/o Kamlesh Pande Resident of Village-Gordihe, P.S. Daudnagar, Dist.-Aurangabad

... .. Petitioner/s

Versus

1. The Bihar State Staff Selection Commission, Through Its Chairman through its Chairman, P.O. Veterinary Collage, Patna-800014
2. The Chairman State Staff Selection Commission, P.O. Veterinary Collage, Patna-800014
3. The Secretary, State Staff Selection Commission, P.O. Veterinary Collage, Patna-800014
4. The State of Bihar, through the Principal Secretary-cum-Commissioner, Home Department, Govt of Bihar, Old Secretariat, Patna
5. The Director General of Police, Police Head Quarter, Govt. of Bihar, Old Secretariat, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Aastha Ananya, Adv. Mr. Sanjeev Ranjan, Adv.
For the State	:	Mr. Sanjay Parasmani (AC to GP-4)
For the BSSSC	:	Mr. Satyabir Bharti, Adv. Ms. Kanupriya, Adv. Mr. Abhishek Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-02-2024 Learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar State Staff Selection Commission are present.

2. The present writ petition has been filed for allowing the petitioners to participate in the selection process for



appointment to the post of Sub-Inspector of Police against the identifiable vacant vacancies of advertisement no.704 and 0511 as the petitioners were eligible to appear in examination for 299 posts of Sub-Inspector of Police in the light of direction issued by the Hon'ble Supreme Court and judgment and order dated 07.08.2018 passed in Civil Writ Jurisdiction Case No. 15182 of 2017. Further prayer of the petitioners is that the petitioners have not been granted any opportunity in the light of those judgments and therefore, the relief be granted to the petitioners that they may be permitted to appear in the appointment process as per the advertisement published in the year 2004.

3. Learned counsel for the petitioners submit that petitioners are admittedly appeared in the appointment process and they were selected in the physical test, but their names have not been published to appear in the written examination. This is the matter which is of 2006 and thereafter, the petitioners have not moved before this Hon'ble Court at any earlier occasion, but those petitioners who have moved before the High Court and followed the order of Hon'ble Supreme Court, in their cases Hon'ble Supreme Court has directed that all the candidates were permitted to consider their case in this regard. From the Hon'ble Supreme Court judgment, it transpires that only 223 were the



persons whose list was produced before the Hon'ble Court. Counsel further submits that since the petitioners were not given opportunity to appear in the examination process, therefore, fresh examination was directed to be made so far as the present petitioners are concerned.

4. Learned counsel for the Bihar State Staff Selection Commission opposes the prayer of the petitioners and submits that this matter has already been tested before this Hon'ble Court in Letters Patent Appeal No. 755 of 2019 in Civil Writ Jurisdiction Case No. 23703 of 2018 in which Hon'ble Division Bench has categorically indicated and observed that:-

“on the merits of the appeal, we have perused the impugned judgment and the grounds taken have been clearly answered by the learned Single Judge indicating that it will not be appropriate for this Court now to entertain any such claim with regard to the selections pursuant to the advertisement of 2004. Therefore, we are not inclined to entertain this appeal. The same is, accordingly, dismissed.”

5. In the light of the judgment passed in Letters Patent



Appeal No. 755 of 2019, this Court is of the same view that entertaining this writ petition means entertainment of an advertisement process which is of year 2004 and all process have already been completed. As such, this Court is not inclined to entertain this writ petition.

6. With the aforesaid observations, this writ petition is hereby dismissed.

(Dr. Anshuman, J.)

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