

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4030 of 2020**

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1. Amrit Prakash @ Amrit Prakash Sah Son of Om Prakash Sah Resident of Kullipara, Krishnanagar, P.O.- Sahebganj, P.S.- Sahebganj, Jharkhand, at present residing at 309 Tara Tower North Shashtrinagar, P.S.- Shastrinagar, District- Patna- 800023.
  2. Rajesh Kumar Ranjan Son of Pravesh Thakur Resident of Mohalla- JKS-D-133 Old Jakkanpur (Shivaji Nagar), P.O.- GPO, P.S.- Jakkanpur, District- Patna- 800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Art, Culture and Youth Department, Govt. of Bihar, Patna.
2. The Director, Bihar Museum Society, Patna.
3. The Addl. Director, Bihar Museum Society, Patna.
4. The Governing Body, Bihar Museum Society, Bailey Road, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s      | : | Mr. Abhinav Srivastava, Adv.          |
| For the State             | : | Mr. Raghwanand (GA-11)                |
|                           |   | Mr. Sanjay Kumar Tiwari (AC to GA-11) |
| For Respondent nos.2 to 4 | : | Mr. Bindhyachal Singh, Sr. Adv.       |
|                           |   | Mr. Vipin Kumar Singh, Adv.           |

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

7      02-08-2024                      Heard learned counsel for the petitioners, learned counsel for the State and learned senior counsel for respondent nos.2 to 4.

2. The present writ petition has been filed for the following relief/s:-

*“1. For commanding the respondents to issue appointment letters to the petitioners on the post of Curatorial Associate Museum Professional who*



*were selected after having passed the written examination as well as in the interview which was conducted pursuant to an advertisement published in the daily hindi newspaper, Dainik Jagran dated 08.07.2017, whereby applications were invited for appointment on different posts in the Bihar Museum Society, Patna.”*

3. Learned counsel for the petitioners submits that the advertisement for the post for which process has already been completed and only appointment letter has to be issued was published in the year 2017, particularly on 08.07.2017 by the Bihar Museum Society, Patna. Counsel submits that the petitioners have appeared in the process of examination having all qualifications, but even then, result has not been published. Counsel submits that in the recruitment process, the petitioners have participated and finally selected and only appointment letter has not been issued. Counsel further submits that by virtue of counter affidavit, respondent nos. 2 to 4 has come with the stand that the entire process of appointment has been cancelled.

4. Learned counsel for the State submits that the entire process has been cancelled on the ground of irregularities in the same.



5. In support of his contention, learned counsel for the petitioners relied on a judgment in case of ***Sachin Kumar & Ors. Vs. Delhi Subordinate Service Selection Board & Ors.*** reported in ***(2021) 4 SCC 631*** and submits that the recruitment body must act in fair and reasonable terms and the order for cancellation cannot be held, particularly when irregularities were not confined to act of malpractice or unfair means or part of specific group of persons.

6. Learned counsel for the State and learned senior counsel for respondent nos. 2 to 4 jointly submits that in the present case, there is no allegation against the petitioners that they have committed any wrong or unfair means. Counsel submits that the Internal Committee has given a conclusion that the person who is sitting at the higher post and controlling the recruitment has committed irregularities and therefore, this recruitment process has not been cancelled due to any act or affairs done by the petitioners. It has been cancelled only and only due to the reason that the Internal Committee who has inspected the matter of the recruitment has found that the Higher Authority has committed the wrong.

7. In this view of the matter, this Court is not inclined to interfere in the decision. But, liberty is hereby granted that in



case, the petitioners have no further age in appearing on the next advertisement, then in that case, the petitioners shall be entitled to appear in the next advertisement whenever published and age shall not create any bar for them.

8. With the aforesaid direction, the present writ petition stands dismissed.

**(Dr. Anshuman, J)**

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