

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3539 of 2020

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Krishna Kumar Son of Mundirika Prasad, Resident of Vilalge-Pipra, P.S.-Ram
Krishna Nagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Genral Administrative Department Govt. of Bihar, Patna.
3. The Director General, Bihar State Sports Authority, Bihar.
4. The Secretary, general Administrative Department, Govt. of Bihar, Patna.
5. The Secretary Art. Culture and Youth Department, Govt. of Bihar, Patna
6. The Additional Secretary, General Administratiove Department, Govt. of Bihar, Patna.
7. The Joint Secretary General Administrative Departmnet Govt. of Bihar, Patna.
8. The Under Secretary, general Administration Department Govt. of Bihar, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Avinash
For the Respondent/s : Mr.Md.Nadim Seraj (Gp5)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT

Date : 04-01-2024

Counsel for the petitioner and Counsel for the State is present.

2. The present writ petition has been filed seeking direction to appoint the petitioner who is outstanding sports person against the vacancy published for the posts of clerk in group C and group D under the provisions of “The Bihar Outstanding Sports Person Appointment Rules 2014”. Further prayer has been made to quash Annexure-7 by which the selection Committee has taken the decision/minutes which is against the provision of “The Bihar Outstanding Sports Person Appointment Rules 2014”



3. Counsel for the State submits that the petitioner has filed up the form in the light of the advertisement made in compliance of The Bihar Outstanding Sports Person Appointment Rules 2014 made in the year 2015.

4. Counsel submits that the petitioner has submitted his application form, but he received information that advertisement was modified and the game under which the petitioner has filed application has been removed from the list. As such, the cause of action has been created for the petitioner to move before this Hon'ble Court.

5. Counsel submits that the petitioner is player of game namely "Atya Patya" and having certificate which he has annexed as Annexure-4 series.

6. Counsel for State submits that the action taken by the Officials has been done completely in accordance with the aforesaid Rule. In Rule-9, there is provision to remove any difficulty under which power is vested that special direction may be issued.

7. Counsel for the State submits that the said "Atya Patya" game are not played in Bihar rather it is primarily played in Maharashtra and All India Federation is also registered at Nagpur as per Annexure-5 Series.



8. The certificate attached by the petitioner (Annexure-4) series is also not indicating that petitioner is representing which part of the State, which part of University or College. Therefore, candidature of the petitioner is at all not accepted.

9. Upon going through the pleading of the parties, it transpires to this Court that the said law, namely, The Bihar Outstanding Sports Person Appointment Rules 2014” has been specially designed to select the outstanding sports person of Bihar, but from the pleading of the parties, it is not clear that in which part of the Bihar, this Aatya Patya game is recognized and being played.

10. The petitioner has not disclosed in petition that by which organization of Bihar, he attached and this game used to be played. It is due to this reason, this Court is not inclined to grant any relief to the petitioner, and therefore, on the point of locus standi itself, this writ petition is dismissed.

(Dr. Anshuman, J)

Sunnykr/-

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CAV DATE	
Uploading Date	

