

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.313 of 2020

In
Civil Writ Jurisdiction Case No.24229 of 2019

-
1. Naresh Kumar Son of Mohan Lal Resident of village- Gosaipur, P.s.- Palasi, District- Araria
 2. Zafar Asi Son of Ibrahim resident of Vill- Majhgama, P.S. Araria, District- Araria
 3. Abdul Hannan Son of Md. Kamiluddin resident of village- Mirzabag, P.s.- Araria, District- Araria
 4. Md. Saukat Ali Son of Abdul Zabbar resident of Vill- Kakurha BasantpurDhobi Tola, Ward No. 1, P.S. Araria, District- Araria
 5. Rajiv Kumar Thakur Son of Late Shivkant Thakur resident of Village- Tamkura, P.S. Kusakata, District- Araria
 6. Sankar Kumar Shankar Kumar Yadav Son of Parmanand Yadav resident of Vill- Kharaiya Ward No.11, P.S. Araria, District- Araria
 7. Md. Firoz Alam Son of Md. Anwar Alam resident of village- Machhaila, Ward No. 1, P.s.- Mahalgao, District- Araria
 8. Md. Nausad Alam Son of Late Gayassuddin resident of village- Joginder, Ward No. 10, P.s.- Mahalgao, District- Araria
 9. Md. Iftekhhar Alam Son of Md. Shafique Alam resident of village- Kharaiya Basti, Ward No. 11, P.s.- Araria, District- Araria
 10. Md. Shahnawaz Alam Ansari Son of Md. Yaqub resident of village- Kali Bazar,P.s.- Araria, District- Araria
 11. Md. Masood Azad Son of Md. Reaz, resident of village- Sisauna Gaiyari, Ward No. 5, P.s.- Araria, District- Araria
 12. Md. Alam Son of Late Shakhe Doman Ali resident of village- Gaiyari, Ward No. 11, P.s.- Araria, District- Araria
 13. Pramod Kumar Sharma Son of Nilamber Sharma resident of village- Ohm Nagar, Ward No. 8, P.s.- Araria, District- Araria
 14. Md. Anzarul Basar, Son of Md. Nurul Basar, resident of village- Farsa Dangi, P.s.- Jokihat, District- Araria

... .. Appellant/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna
2. The Commissioner, Purnea Division, Purnea
3. The District Magistrate, Araria
4. The Deputy Collector Establishment, Araria
5. The District Welfare Officer, Araria
6. The District Education Officer, Araria
7. The District Agriculture Officer, Araria



8. The District Fisheries Officer, Araria
9. The Executive Engineer Public Health Division, Araria
10. The Executive Engineer Road Construction Department, Araria
11. The Executive Engineer Irrigation Division, Araria
12. The Executive Engineer Rural Works Department, Works Division, Farbisganj
13. Forest Division Officer, Forest Division, Araria
14. The Division Animal Husbandry Officer, Araria

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Avinash Shekhar
For the Respondent/s : Mr.Lalit Kishore (Ag)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

Date : 18-03-2024

The appellants have assailed the order dated 31.01.2020 passed in C.W.J.C. No. 24229 of 2019. Grievance of the petitioner is that they are the candidates for the recruitment to Class IV post, pursuant to process of recruitment in the year 2014-2015. Petitioners name are reflected in the panel. For want of vacancies, they have not been accommodated in appointing them to Group IV post. Time and again, Courts have held that merely reflection of name in the panel, in such an event, there is no vested or legal right to such person whose name is in the panel. That apart, grievance of the petitioner is required to be redressed with reference to future vacancy. Future vacancy cannot be operated for the purpose of earlier recruitment. In



other words, whatever the future vacancies occurred it has to be filed up in accordance with the latest Rules of recruitment read with Article 14 and 16 of the Constitution. Therefore, we find no infirmity in the order dated 31.01.2020 passed in C.W.J.C. No. 24229 of 2019.

- 2. Accordingly, LPA stands dismissed.
- 3. Pending I.A(s), if any, stands dismissed.

(P. B. Bajanthri, J)

(Alok Kumar Pandey, J)

vashudha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	20.03.2024
Transmission Date	NA

