

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16998 of 2021

-
1. Ajit Kumar Singh Son of Gokhul Singh, resident of Village - Shobhepur, P.S. Naya Gaon, District - Saran at Present resident of village- Kali Mandir, Raxaul, P.S.- Raxaul, District - East Champaran.
 2. Awadhesh Kumar Son of Kapildeo Singh, R/o Village - Gayatri Bhandar Lodge Motihari, P.S.- Motihari, District - East Champaran.
 3. Pravin Kumar Singh, Son of Raj Narayan Singh, R/o- Village- Karariya P.S.- Gopalganj, District - Gopalganj.
 4. Ravi Ranjan Verma Son of Late Gajendra Prasad Verma, R/o Village - Kali Nagar Ashram Road Raxaul, P.S.- Raxaul, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. That Principal Secretary, General Administration Department, Government of Bihar, Old Secretariat Building, Patna.
3. The Principle Secretary, Home Department, Government of Bihar, Old Secretariat Building, Patna.
4. The Director General of Police Bihar, Old Secretariat Building, Patna.
5. The Bihar Staff Selection Commission, Veterinary College, Bihar Staff Selection Commission, Veterinary College, Patna.
6. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Murari Sharan Tiwari
For the Respondent/s : Mr.Md. Nadim Seraj (Gp5)

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-02-2024 The present writ petition has been filed seeking the following reliefs:-

“1(i). For quashing the order dated 16.04.2019 issued by the Inspector General of Police (Headquarters) Bihar, Patna as contained in Annexure-23 by which the claim of the petitioners for appointment to the post of Sub-



Inspector of police has been rejected.

(ii). Also for issuance of a writ in the nature of certiorari for quashing the order dated 16.04.2019 passed by the Inspector General of Police (Headquarters) Bihar Patna, contained in Annexure-23 by which the application made by the petitioners for appointment Inspector to the post of Sub-Inspector of Police against Advertisement No. 704/2004 has been rejected.

(iii). Also for commanding the respondents to consider the case of the petitioner for appointment on the post of Sub- Inspector of Police like 133 persons who have been appointed on the post of Sub- Inspector of Police in terms of the order passed by the Hon'ble Supreme Court in Civil Appeal Nos. 2795-2797 of 2017 Chandra Gupt Prasad and others Versus State of Bihar and others giving rise to Contempt Petition (C) No. 1711 of 2018 in Contempt Petition (C) No. 22 of 2018 in C.A. No. 2805 of 2017 Arvind Kumar and others Versus Amir Subhani and others dated 24th October, 2018 against Advertisement No. 704/2004;

(iv). Also for issuance of a writ in the nature of declaration that the case of the petitioner also come under the zone of consideration for appointment on the post of Sub-Inspector of Police like 133 persons who have been appointed on the post of Sub-Inspector of Police in terms of order passed by the Hon'ble Supreme Court in



Civil Appeal Nos. 2795-2797 of 2017 Chandra Gupt Prasad and others Versus State of Bihar and others giving rise to Contempt Petition (C) No. 1711 of 2018 in Contempt Petition (C) No. 22 of 2018 in C.A. No. 2805 of 2017 Arvind Kumar and Others vs. Amir Subhani and Others dated 24th October, 2018 against advertisement no. 704 of 2004 as contained in Annexure-1.”

2. At the outset, the learned counsel for the Respondents submits that the Hon’ble Apex Court under special circumstances, while exercising its power under Article 142 of the Constitution of India, had decided the cases of 133 appellants, who had approached the Hon’ble Apex Court and the Hon’ble Apex Court had also observed that the selection process of Sub-Inspectors for the year, 2004, shall not be re-opened in any case except with the express permission of the Hon’ble Apex Court, as is also apparent from the impugned order dated 16.4.2019, hence, it is submitted that the case of the petitioners, being not covered by the judgment of the Hon’ble Apex Court, passed in Contempt Petition (C) No. 1711 of 2018, can now not be considered by this Court.

3. The aforesaid arguments, advanced by the learned counsel for the Respondents, is not disputed by the learned



counsel for the petitioners, hence, it is submitted that the present writ petition be disposed off.

4. Accordingly, the present writ petition stands disposed off.

(Mohit Kumar Shah, J)

Ajay/-

U			
---	--	--	--

