

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14406 of 2024

1. Amrendra Kumar son of Harendra Kumar Mishra, Resident of Village-Manika, Bishunpur Chand, Manika Urf Bishunpur Bhand, P.O.- Ramna, P.S.-Mithanpura Muzaffarpur, District- Muzaffarpur, Bihar-843119.
2. Kumar Mukesh Ranjan, son of Horil Rajak, Resident of Near Hanuman Mandir, Suryalok Colony. Bagwari, Kutubganj, P.O.-Mirjanhat, P.S.-Babarganj, District-Bhagalpur, Bihar-812005.
3. Md. Azhar Hussain, son of Ekram Uddin, Resident of Near Middle School, Tapu Tola, Belwa, P.O. and P.S.-Araria, District-Araria, Bihar-854311
4. Rajeev Kumar Jha, son of Pramchandra Jha, Resident of R.S. Tank, Ward No. 45, Balbhadarpur, P.O.-Laheriasarai, P.S.-Bahadurpur, District-Darbhangha, Bihar-846001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
3. The Deputy Secretary, Department of Urban Development and Housing, Government of Bihar, Patna.
4. The Bihar Staff Selection Commission, P.O. Veterinary College, Patna- 14 through the Secretary.
5. The Chairman, the Bihar Staff Selection Commission, P.O. Veterinary College, Patna- 14.
6. The Secretary, the Bihar Staff Selection Commission, P.O. Veterinary College, Patna- 14.
7. The Examination Controller, Bihar Staff Selection Commission, P.O. Veterinary College, Patna- 14.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Pranav Kumar, Adv
For the Respondent/s : Mr.Government Pleader (11)

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2024 Heard Learned Counsel for the petitioners, Learned

Counsel for the State and Learned Counsel for Staff Selection

Commission.



2. The present writ petition has been filed for directing the respondents to publish a fresh result after adding the marks against the experience of the petitioners, in the light of the amendment in Rule 5 of the Bihar City Manager Cadre (Appointment & Service Conditions) Rules, 2014 through notification bearing memo no. 2020 dated 15.03.2024. Further prayer has been made to direct the respondents to regularize the service of the petitioners who were appointed on the post of City Manager against advertisement published on 03.05.2008 in the year 2010, with all consequential benefits.

3. Learned Senior Counsel fairly submits that in this regard a detailed representation has been filed vide Annexure P/11 dated 08.08.2024 which is still pending and no decision has been taken by the authority till date.

4. Learned Counsel for Staff Selection Commission submits that representation has been filed only on 08.08.2024.

5. Learned Counsel for the State submits that since it is a policy decision, therefore, decision shall be taken place at the level of the Government.

6. In this view of the matter, the present writ petition is disposed off directing the petitioners to file a fresh representation before the Principal Secretary, Urban



Development and Housing Department, Government of Bihar,
Patna (Respondent No. 2) within two weeks raising all the
points which he has raised in the present writ petition and
Respondent No. 2 is directed to pass a reasoned and speaking
order within 90 days thereafter.

7. It is made clear that the said 90 days shall be
counted from the date on which the petitioner appears for
personal hearing.

8. Petitioners are at liberty that if they prays for
personal hearing, the Respondent No. 2 shall provide ample
opportunity of hearing to the petitioners.

(Dr. Anshuman, J)

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