

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1091 of 2019

In
Civil Writ Jurisdiction Case No.13683 of 2014

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Pradip Kumar Singh S/o Late Chilar Singh Resident of Village- Belaon, P.O.-
Kharenda, P.S. Belaon, Distt.- Kaimur at Bhabua.

... .. Appellant/s

Versus

1. The State of Bihar through Secretary, General Administration, Bihar, Patna.
2. The Bihar Public Service Commission Through its Secretary, Bihar, Patna.
3. The Joint Secretary Department of General Administration, Bihar, Patna.
4. The Collector Kaimur at Bhabua.

... .. Respondent/s

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Appearance :

For the Appellant/s : Mr. Chandra Mohan Jha, Advocate
For the Respondent/s : Mr. P.K. Verma (Aag3)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL JUDGMENT

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

Date : 11-01-2024

In the present L.P.A., appellant has assailed
the order of the learned Single Judge dated 30.07.2019 passed in
C.W.J.C. No.13683 of 2014.

2. Appellant is one of the candidate for the post
of Assistant, pursuant to the advertisement issued in the year
1998. The select list was announced in the year 2008.
Whereas, the writ petition was filed in the year 2014. The
grievance of appellant was that number of vacancies earmarked
for backward classes is not in accordance with the reservation
policy, if the reservation policy is implemented in that event,



three vacancies were required to be earmarked for the backward classes, on the other hand, advertisement reveals only one post. To that effect, he has submitted representation. Be that as it may, his candidature was considered and he stood at serial no.2. In this backdrop, the petitioner has presented C.W.J.C. No.13683 of 2014.

3. Firstly, appellant has not assailed the advertisement insofar as reservation of backward class to the extent of one post and it is not commensurate with the reservation policy, as long as advertisement and earmarking one post of backward class is not set aside by the competent forum. The appellant has no vested right to claim for the second post, which has not been earmarked for backward class category.

4. The appellant has not assailed the select list or backward class category and so also questioning the last candidate for candidate's selection and appointment under backward class category. Moreover, with reference to the year 1998 advertisement and it was finalized in the year 2008. Thereafter, the appellant has approached this Court after lapse of about 6 years. Time and again, Courts have held in respect of selection and appointment matters are concerned, the aggrieved candidate must knock the doors of the judicial forum within a



reasonable period of time. In the present case, there is enormous delay and latches on the part of the appellant. Merely, stating that appellant was making certain correspondence with the official respondent that does not enure to the benefit of appellant in knocking the doors of the judicial forum belated by six years.

5. Therefore, no interference is called insofar as the order of learned Single Judge dated 30.07.2019 passed in C.W.J.C. No.13683 of 2014.

6. Accordingly, L.P.A. No.1091 of 2019 stands dismissed.

(P. B. Bajanthri, J)

(Ramesh Chand Malviya, J)

S.Katyayan/-

AFR/NAFR	NAFR
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