

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.311 of 2022

In

Civil Writ Jurisdiction Case No.19100 of 2021

Pitamber Kumar, Son of Sri Dharmraj Kumar, Resident of Village -Hasanpur,
P.O. - Arwal, P.S.-Arwal, District-Arwal, Bihar-804402.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General of Police (Head Quarter), Patna.
5. The Bihar Police Subordinate Service Commission through its Secretary, Santosh Manson, B-Block, R.P.S., Raghunath Path, Danapur, Patna.
6. The Secretary, Bihar Police Subordinate Service Commission, Santosh Manson, B-Block, R.P.S., Raghunath Path, Danapur, Patna.
7. The Officer on Special Duty, Bihar Police Subordinate Service Commission, Santosh Manson, B-Block, R.P.S., Raghunath Path, Danapur, Patna.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. S.B.K. Mangalam, Advocate Mr. Kumar Kaushik, Advocate
For the Respondent/s	:	Mr. Sanjay Kumar Ghosarvey, AC to AAG- 3

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL JUDGMENT

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 08-07-2025

Re. I.A. No. 01 of 2022 :

Mr. S.B.K. Mangalam, the learned counsel for the appellant presses the aforesaid interlocutory application for condoning the delay of 117 days in preferring this appeal.

2. For the reasons stated in the application, the



delay of 117 days in preferring this appeal is, hereby, condoned.

3. I.A. No. 01 of 2022 stands allowed.

Re. L.P.A. No. 311 of 2022 :

4. We have heard, the learned counsel for the appellant and Mr. Sanjay Kumar Ghosarvey, the learned counsel for the State.

5. The appellant was a candidate for the post of Sub-Inspector of Police against an Advertisement No. 01 of 2017.

6. The process of selection is long over.

7. However, before the learned Single Judge, the appellant pointed out that there were several irregularities committed including the evaluation of OMR sheets and key answers for which, necessary information through RTI was attempted to be obtained by him, but to no avail. The learned Single Judge found that filing a writ petition with such half-baked facts was not only premature but unnecessarily also.



8. Mr. Mangalam has informed this Court today that later, with his efforts, he could only get the information that all the records of the selection process have been auction sold/destroyed. The appellant however was assured by the RTI authorities that such information sought by him would be given to him.

9. Nonetheless, we do not find any reason to interfere with the impugned judgment dated 02.02.2022, which found the petition to be premature at that time and we finding the case to be absolutely stale as on date.

10. There is no merit in this appeal and, thus, it is dismissed.

11. Interlocutory application/s, if any, also stand disposed off accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Praveen-II-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.07.2025
Transmission Date	NA

