

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1629 of 2022

In
Civil Writ Jurisdiction Case No.14289 of 2018

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Bharat Ray @ Bharat Roy, son of Satya Narayan Ray, resident of Village-Basantpur, P.S. Muffasil Motihari, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Home Department, Govt. of Bihar, Patna through Sri Chaitanya Prasad, I.A.S.
2. Shri Jitendra Srivastava, the Secretary, Home Department, Government of Bihar, Patna.
3. Shri Shirsat Kapil Ashok, the District Magistrate, East Champaran at Motihari.
4. Shri Kumar Ashish, the Superintendent of Police, East Champaran at Motihari.
5. Sri Saurabh Kumar Yadav, the Sub Divisional Officer, Sadar Motihari, District- East Champaran.
6. Sri Arun Kumar Gupta, the S.D.P.O., Sadar Motihari, District- East Champaran.
7. Sri Avish Kumar Singh, Station House Officer, Motihari Muffasil P.S. District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Amrendra Krishna No.1, Adv. Mr. Bijendra Kumar Singh, Adv. Mr. Kumar Dhananjay Singh, Adv.
For the Opposite Party/s :		Mr. Prabhat Kumar Verma, AAG-3

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 29-08-2025 Heard the parties.

2. The application is filed for initiation of a contempt proceeding against the opposite parties for their willful disobedience of the order of this Court passed in C.W.J.C. No. 14289 of 2018. In compliance of the order of this Court, a show cause affidavit has been filed on behalf of opposite party no. 3



and 5. It is informed to this Court that the case of the petitioner was duly considered by the District Selection Committee, East Champaran in its meeting dated 09.09.2022. However, in the approved roster of reservation, not a single post falling under the backward category, nonetheless the petitioner belongs to backward category. Since the petitioner has secured only 42.5% marks in matriculation, he could not compete with the candidates shortlisted under the unreserved category, as the lowest cut off marks for selection in unreserved category came to be fixed as 83.6%. It has also been apprised that the petitioner could not come in the merit list, as such the matter of age relaxation also did not arise.

3. Learned Advocate for the petitioner submitted that the consideration undertaken by the concerned opposite parties is wholly illegal, inasmuch as, 16 posts of the backward class were kept reserved in terms with advertisement no. 1/2017.

4. Be that as it may, having considered the order under contempt *qua* the averments made in the show cause affidavit, this Court does not find any reason or occasion to continue with the proceeding, accordingly the present contempt petition stands closed.

5. However, the petitioner shall be at liberty to agitate



his grievance before the concerned authorities or the Court, if so
advised.

(Harish Kumar, J)

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