

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8068 of 2024

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Rakhi Kumari Daughter of Mr. Sanjay Kumar Resident of Mohalla Garhpar,
P.S. Biharsharif, District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Law Secretary, Law Department, Government of Bihar, Patna.
3. The Convenor, Co-ordination Committee-cum-District and Sessions Judge, Patna.
4. Vipin Kumar Son of Rajendra Prasad Singh Resident of Village and Police Station - Kako, District - Jehanabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kr. Thakur, Advocate Mrs. Vaishnavi Singh, Advocate
For the State	:	Mrs. Archana Meenakshee (GP-6) Mr. Rohit Singh (AC to GP-6)
For the Resp. no.3	:	Mr. Piyush Lall, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 28-01-2026

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for Resp. no.3.

2. The present writ petition has been filed directing the respondent no.3 to consider the application for appointment of the petitioner in the light of the statutory provision as well as the order of this Hon'ble Court passed in similarly situated matter including order dated 19.04.2023 passed in L.P.A. No. 650 of 2022 arising out of C.W.J.C No. 6259 of 2019.

3. Learned counsel for the petitioner submits that



the petitioner has participated for appointment on Class-III post by virtue of Employment Notice No.1 of 2016 published on 07.02.2016. Counsel further submits that the final result of 1681 candidates was published, out of which some persons joined and some didn't joined. Counsel submits that the name of petitioner was not in the final list, but figured in the waiting list panel. Counsel submits that according to statute, the said waiting list panel is valid for two years from the date of preparation. Counsel submits that the case of petitioner has not been considered for the selection and those persons who got lessor marks in the waiting list were selected. In this way, discrimination has been made by the respondent. Counsel submits that when the petitioner aware about the said discrimination in the appointment, she filed representation and moved before this Hon'ble Court requesting to consider her case in the light of the judgment/order dated 19.04.2023 passed in L.P.A. No. 650 of 2022 arising out of C.W.J.C No. 6259 of 2019.

4. Learned counsel appearing for Respondent no.3 submits that the submissions made by the counsel for the petitioner is not correct view of the matter. Counsel submits that it is true that the waiting list was valid for two years, but



subsequently, by virtue of a letter issued from the competent authority, it was decided that no person shall be appointed from the said waiting list panel. He further submits that some of the candidates who were listed in the waiting list panel have sued against the said decision of the authority and they travelled their case in C.W.J.C No. 6259 of 2019 and subsequently, in L.P.A. No. 650 of 2022. And finally, by the decision made by the L.P.A. Bench *vide* order dated 19.04.2023, by which their selections were made. Counsel submits that the case of the petitioner is not the same, as that of petitioners of earlier Writ & L.P.A. In the present writ application, the petitioner sat over the matter and never sued earlier. Only after completion of the appointment of other persons of the waiting list in the light of the L.P.A order, the petitioner came forward for the first time in the year 2024. Counsel further submits that even if it has been accepted for the sake of argument that the appointment should be made by virtue of waiting list, but the law shall not help the petitioner due to the reason that waiting list was only for two years and it's effect has been ended in the year 2020 itself. After end of two years, the petitioner has moved, therefore, she has no case now.

5. Learned counsel for the State submits that the



representation filed by the petitioner has already been disposed off.

6. As such, learned counsel for the State is directed to serve a copy of the decision on the petitioner's representation upon the counsel for the petitioner at the earliest.

7. Upon hearing the parties and going through the documents, it transpires to this Court that the petitioner is claiming her title by virtue of Bihar Civil Court Staff (Class III and Class IV) Rules, 2009 in which the waiting list panel was valid only for two years. But, the said waiting list panel was exhausted after two years from the date of publication of the result dated 26.09.2018, and the petitioner has sued before this Hon'ble Court in the year 2024. The decision with regard to petitioners of L.P.A No. 650 of 2022 arising out of C.W.J.C. No. 6259 of 2019 shall not help the present petitioner in any manner, due to the reason that those persons had moved before this Court prior to life of waiting list panel. But, the present petitioner has not moved during the said period.

8. As such, this Court is not inclined to grant any relief to the petitioner, due to the reason that the petitioner sat over the matter and not come forward within the stipulated period of time. Such delay claimed by the petitioner cannot be



accepted. Hence, the present writ petition stands dismissed.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	31/01/2026
Transmission Date	NA

