
(2007) 03 PAT CK 0165
In the Patna High Court
Case No : CWJC No. 13610 of 2000

Banarsi Kumar and Others	Vs	APPELLANT
The State of Bihar and Others		RESPONDENT

Date of Decision : 26-03-2007

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2007) PLJR 341

Hon'ble Judges : J.N. Bhatt, C.J

Bench : Single Bench

Advocate : Umesh Chandra Verma, Bhupendra Kumar, Abhay Kumar Singh, Siya Ram Shahi, Shekhar Kumar Singh and Tej Narain Singh, for the Appellant; Vindhachal Singh, Prashant Kumar, Sushil Kumar Singh, Umesh Prasad and Mukesh Kumar, for the Respondent

Judgement

Dr. J.N. Bhatt. C.J.

1. In these group of writ applications under Article 226 of Constitution of India, common questions have been raised and therefore, they are being disposed of by this common judgment upon joint request. The petitioners have sought a direction to the respondents to appoint them on the post of Constable in different ranges by taking re-measurement of their height and for filling up current vacancies by the panel prepared in pursuance to advertisement No. 1 of 1998 in the light of order of Director General of Police and also to grant them consequential benefits.
2. The petitioners have contended that they will file representation, if not already filed within 4 weeks to the appropriate authority raising grievances in these group of petitions.
3. Let it be placed in focus evidently that mere enlistment of names or empanelment in the select list or wait list does not generate or create any vested right as argued by the learned Counsel for the State. Again, it is further

submitted by him that the process of recruitment pursuant to advertisement No. 1 of 1998 under which applicants have raised their claims, has been over and thereafter further second time advertisement was given and process of recruitment is on.

4. It is, therefore, contended that the petitioners have not made clear whether they have applied in the second advertisement or not.

5. Be that as it may, Counsel for the petitioner by consensus submitted that representation may be considered by the authority. The authority, obviously, cannot have any objection to consider the representation, if already filed or filed hereinafter, as fresh representation on merit in accordance with law in consonance with recruitment rules as early as possible and preferably within 4 months after a receipt of the new representation, if not filed. In view of the aforesaid observations, this group of petitions shall stand disposed of. No cost.