
(2001) 03 PAT CK 0084
In the Patna High Court
Case No : L.P.A. No. 221 of 2001

Barjesh Kumar Vikal

APPELLANT

Vs

The State of Bihar and Others

RESPONDENT

Date of Decision : 08-03-2001

Acts Referred:

Citation : (2001) 3 PLJR 29

Hon'ble Judges : Ravi S. Dhavan, C.J.;Aftab Alam, J

Bench : Division Bench

Advocate : Sujeet Kr. Sinha, for the Appellant;

Final Decision : Dismissed

Judgement

1. This Letters Patent Appeal has been filed against the decision dated 31 January, 2001 on C.W.J.C. No. 9736 of 1999 Brajesh Kumar Vikal v. The State of Bihar and Ors.
2. The matter relates to the appointment of Assistants on the basis of 3rd Graduate level competitive examination as a consequence of an advertisement No. 1/90. The contention of the Petitioner before the writ Court as also before this Court is that though the vacancies were advertised in 1990 itself the written examination was held only in 1995 and result was finally published only on 14 January, 1997. Thus, it is contended that the situation treating 31 December, 1993 as the cut off date should be declared as arbitrary.
3. The Court has heard counsel for the Appellant and carefully considered the judgment under appeal. It is clear from the judgment that the 3rd examination was intended to cover the vacancies of the period up to 31 December, 1993. In the circumstances, the learned Judge was of the opinion that no arbitrariness of prejudice can be attributed to the Respondents on this score. Further, during the course or hearing it had been made clear that the State Government has since taken the decision to hold 4th competitive examination with respect to the vacancies occurring between 1 January, 1994 and 1 August, 1998.

4. In the, circumstances, the Court does not find any error in the judgment so as to occasion any interference in the appeal.
5. Dismissed.