
(2002) 04 JH CK 0077

In the Jharkhand High Court

Case No : C.W.J.C. No. 4804 of 1999 (Patna)

Sudhir Yadav and Others

APPELLANT

Vs

State of Bihar and Others

RESPONDENT

Date of Decision : 08-04-2002

Acts Referred:

Citation : (2002) 04 JH CK 0077

Hon'ble Judges : S.J. Mukhopadhaya, J

Bench : Single Bench

Advocate : Om Prakash and Ajit Kumar Singh, for the Appellant; Shamim Akhtar, S.C. -II, Arbind Mehta, J.Cs. to S.C. -II, Ajay Kumar Mishra and Kaushalendra Prasad, for the Respondent

Final Decision : Dismissed

Judgement

S.J. Mukhopadhaya, J.—This application has been preferred by the petitioners for direction on the respondents to consider their cases for appointment to the post of Constable in pursuance of Advertisement No. 1/97.

2. From the pleading made by the petitioners, it will be evident that the panel was prepared on 28th August, 1997. In pursuance of said panel, a number of appointments stated to have been made even upto 1993.

3. It is not in dispute that the life of a panel remains in force for a period of one year which can at best be extended for another one year.

4. In such a situation, if the merit list was prepared on 28th August, 1997, at best it can be presumed that it had a life even after extension upto August, 1999.

5. In pursuance of other cases, it was brought to the notice of the Court that subsequently, the Government of Bihar came out with Advertisement No. 1/98 and a number of appointments were made to the post of Constable between the year 1999-2000.

6. After Reorganisation of the State, the State of Jharkhand came out with

another Advertisement No. 1/2001.

7. In the aforesaid background, even if it is accepted that the petitioners were discriminated in the matter of appointment, the panel having lost its force and subsequent advertisement having published and some appointments having made out of subsequent advertisement No. 1/98. this Court is not inclined to interfere with the matter.

8. So far as policy to reserve certain posts for Home Guards is concerned, if such scheme has been framed and the State of Jharkhand is going to make appointment as per Advertisement No. 1/2001, the petitioners may challenge the same.

9. The writ petition is dismissed, but with aforesaid liberty. Writ petition dismissed.