

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.998 of 2025

In
Civil Writ Jurisdiction Case No.2372 of 2023

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1. The State of Bihar through the Chief Secretary Government of Bihar, Patna
 2. The Secretary, Home Department Government of Bihar, Patna
 3. The Director General of Police Government of Bihar, Patna
 4. The Inspector General, Headquarter Patna, Bihar

... .. Appellant/s

Versus

1. Santosh Kumar Son of Lakshmikant Prasad Resident of villlage- Damodarpur Chakia, Police Station- Pipra, Distarict- East Champaran
2. Raj Kumar Singh Son of Rajendra Singh Resident of village- Ameth, Police Station- Mohania, District- Kaimur
3. Nityanand Prasad Son of Munni Ram Resident of village- Ameth, Police Station- Mohania, District- Kaimur
4. Pritam Ranjan @ Pratim Ranjan Son of Mahesh Prasad Verma Resident of Mohalla- Sitarampur, Police Station- Sultanganj, District- Bhagalpur
5. Bijendra Kumar Son of Ram Narayan Ram Resident of village- Nathopur, Police Station- Kudra, District- Kaimur
6. Pradeep Kumar Son of Radhe Shyam Gupta Resident of village- Karhari, Police Station- Karaghar, District- Rohtas
7. Durga Prasad Pal Son of Sheo Gahan Pal Resident of village- Lalapur, Police Station- Kudra, District- Kaimur
8. Sunil Kumar Son of Rajendra Prasad Yadav Resident of village- Tilkamanjhi Hat Jagdishpur Bhagpur, Police Station- Tilkamanjhi, District-Bhagalpur
9. Jitendra Kumar Son of Ashok Paswan Resident of Mohalla- Jawaripur Jail Road, Police Station- Tilkamanjhi, District-Bhagalpur
10. Arun Kumar Tiwari Son of Shalik Ram Tiwari Resident of village- Kenduni, Police Station- Magadh Medical, District- Gaya
11. Pramod Kumar Son of Suraj Prasad Resident of Mohalla- Nawagarhi Near Old Jain Temple, Police Station- Vishnupad, District- Gaya
12. Mungee Kumar Son of Radhe Dhyam Singh Resident of village- Parsar, Police Station- Karakat Gorari, District- Rohtas
13. Sanjay Kumar Karan Son of Rajniti Prasad Yadav Resident of village- Labhgaon, Police Station- Khagaria, District- Khagaria
14. Asgar Nadeem Son of Raza Karim Resident of village- Daniyalpur, Police Station- Tegra, District- Begusarai
15. Sanjiv Kumar Sinha Son of Devendra Prasad Resident of village- Kaswa, Police Station- Teghra, District- Begusarai
16. Niraj Kumar Son of Pankaj Prasad Singh Resident of village- Ward No. 20,



Naukhutti, Madhurapur, Police Station- Teghra, District- Begusarai

17. Ashok Kumar Pathak Son of Rajkumar Pathak Resident of village- Asnouliya, Police Station- Pandu, District- Palamu, State- Jharkhand
18. Narad Kumar Yadav Son of Indradev yadav Resident of village- Bhildiha, Police Station- Manatu, District- Palamu, State- Jharkhand
19. Bir Bhawani Son of Bhagwan Singh Resident of village- S.P. Kothi Marg, Abadganj, Police Station- Daltonganj, District- Palamu, State- Jharkhand
20. Mukesh Kumar Son of Ramjee Choudhary Resident of village- Ramnagar Math, Police Station- Khagaria, District- Khagaria
21. Manoj Kumar Son of Awedesh Singh Resident of village- Singhora, Police Station- Bazirganj, District- Gaya
22. The Bihar Staff Selection Commission, through its Secretary Bailey Road, P.O.- Veterinary college Campus, Sheikhpura, Patna- 14
23. The Chairman, Bihar Staff Selection Commission, Bailey Road P.O.- Veterinary College Campus, Sheikhpura, Patna-14

... .. Respondent/s

with
Letters Patent Appeal No. 988 of 2025
In
Civil Writ Jurisdiction Case No.2639 of 2023

1. The Bihar Staff Selection Commission, through its Secretary Bailey Road, PO Veterinary College Campus, Sheikhpura, Patna 14.
2. The Chairman, Bihar Staff Selection Commission, Bailey Road, PO Veterinary College Campus, Sheikhpura, Patna 14.

... .. Appellant/s

Versus

1. Niranjan Kumar Singh Son of Surendra Singh, Resident of Village- Kanhai Bigha, Police Station- Hilsa, District- Nalanda.
2. Kundan Gautam, Son of Sri Ved Prakash Upadhyay, Resident of Village- Rampur Kalan, Police Station- Khaira, District- Saran.
3. Ganesh Kumar, Son of Shri Sitaram Munshi, Resident of Village- Yogipur More Hilsa, Police Station- Hilsa, District- Nalanda.
4. Vijay Kumar, Son of Jai Prakash Prasad, Resident of Village- Hilsa (Kalishthan Sagar Sweet House), Police Station- Hilsa, District- Nalanda.
5. Raj Kishor Kumar, Son of Shri Ishwari Lal, Resident of Mohalla- Murarpur, Police Station- Laheri, District- Nalanda.
6. Ranjeet Ranjan Kumar, Son of Rajendra Prasad, Resident of Village- Chhapra, Police Station- Town Kachahari Station Road, District- Chapra.
7. Prabhat Kumar, Son of Suryabansh Singh, Resident of Mohalla- Bahadurpur Housing Colony Bhoothnath Road, Police Station- Agam Kuan, District-



Patna.

8. Pawan Kumar, Son of Shri Deo Sharan Prasad, Resident of Village- Paharapura, Police Station- Biharsharif, District- Nalanda.
9. Pritesh Narayan Singh, Son of Vishwadeo Narayan Singh, Resident of Village- Krishnapuri Nandlal Tola, Police Station- Krishnapuri, District- Chapra.
10. Saqul Jamal Khan, Son of Taiyab Hussain Khan, Resident of Village- Benipur, Police Station- Benipur, District- Darbhanga.
11. Mithilesh Kumar Singh, Son of Late Raj Narayan Singh, Resident of Village- Bikrampur, Police Station- Tiyar, District- Bhojpur.
12. Manish Kumar, Son of Bharat Panday, Resident of Village- Kaushik Nagar, Police Station- Hilsa, District- Nalanda.
13. Rajeev Kumar, Son of Mithilesh Sharma, Resident of Village- Bajrang Bagh Hilsa, Police Station- Hilsa, District- Nalanda.
14. Uma Shankar, Son of Mithilesh Prasad Singh, Resident of Village- Kundwapur, Police Station- Ekangarsarai, District- Nalanda.
15. Akhilesh Kumar, Son of Late Arjun Prasad, Resident of Village- Dayamchak, Police Station- Sare, District- Nalanda.
16. Prince Ranjan, Son of Ram Pravesh Prasad Yadav, Resident of Village- Chhota Telpa, Police Station- Town Thana, District- Chapra.
17. Kundan Kumar Singh, Son of Lakshman Singh, Resident of Village- Sattar, Police Station- Nabinnagar, District- Aurangabad.
18. Mukesh Kumar Singh, Son of Lakshman Singh, Resident of Village- Sattar, Police Station- Nabinnagar, District- Aurangabad.
19. Bishnu Shankar Sharma, Son of Trideo Thakur, Resident of Village- Nonaur, Police Station- Sahar, District- Bhojpur.
20. Mainuddin Ali, Son of Md. Hasnain, Resident of Village- Chhotpur, Police Station- Siwan Mufassil, District- Siwan.
21. Bipin Kumar, Son of Ram Raja Thakur, Resident of Village- Bagauchha, Police Station- Maharajganj, District- Siwan.
22. Raj Narayan Baitha, Son of Sheojee Baitha, Resident of Village- Chhitauli, Police Station- Siswan, District- Siwan.
23. Amit Kumar, Son of Rabindra Prasad Singh, Resident of Village- Surajpur, Police Station- Surajpur, District- Nalanda.
24. Rup Narayan, Son of Vidya Prasad Sinha, Resident of Village- Hussey Chhapra Nai Basti Chapra, Police Station- Town Thana, District- Saran.
25. Pranav Bihari, Son of Badri Narayan Yadav, Resident of Village- Kadawara, Police Station- Belhar, District- Banka.
26. Barun Kumar Tiwari, Son of Vijay Kumar Tiwari, Resident of Village- Basdila, Police Station- Kopa, District- Saran.
27. Vishal Kumar, Son of Anant Prasad, Resident of Village- Nai Sadak Chowk, Police Station- Patna City, District- Patna.



28. Ranjeet Ranjan Upadhyay, Son of Rangnath Upadhyay, Resident of Village- Rauja, Police Station- Town Thana, District- Saran.
29. Hare Ram Prasad Singh, Son of Jagdish Prasad Singh, Resident of Village- Asahani, Police Station- Rasulpur, District- Chapra.
30. Rakesh Ranjan Raj, Son of Ram Janam Prasad, Resident of Village- Mouna Koiri Tola, Police Station- Town Thana, District- Chapra.
31. Mukesh Kumar, Son of Mohan Kumar Amwast, Resident of Village- P and T. Colony Kidwaipuri, Police Station- Kidwaipuri, District- Patna.
32. Sangita Kumari, Daughter of Shyam Sundar Singh, Resident of Village- Tari Near Tari Pul, Police Station- Tari Mufassil, District- Chapra.
33. Gopal Kumar, Son of Surendra Prasad Yadav, Resident of Village- Raghunanthpur, Police Station- Sahebpur Kamal, District- Begusarai.
34. Ravi Bhushan Verma, Son of Paras Nath Verma, Resident of Village- Bhawanipur Zirat Warsn No. 20, Police Station- Motihari Town, District- East Champaran.
35. Rita Kumari, Wife of Sri Janak Dev Sharma, Resident of Village- Basha, Police Station- Raja Patti, District- Gopalganj.
36. Dhiraj Kumar, Son of Kailash Pati Prasad Karan, Resident of Village- Madhopur, Police Station- Birauli, District- Samastipur.
37. Sanjiv Kumar, Son of Ram Chandra Prasad Yadav, Resident of Village- Padampura, Police Station- Sour Bazar, District- Saharsa.
38. Pankaj Kumar Vidyarthi, Son of Bhola Pandit, Resident of Village- Ganjpar, Police Station- Harnaut, District- Nalanda.
39. Chandra Prakash Narayan, Son of Satyendra Singh, Resident of Village- Awadhपुरi Road No-4, Police Station- Nawada, District- Bhojpur.
40. Krishna Kumar Singh, Son of Uma Shankar Singh, Resident of Village- Bhelai, Police Station- Udwantnagar, District- Bhojpur.
41. Ravi Ranjan Kumar, Son of Shashi Bhushan Prasad, Resident of Village- Raxa Rahimpur, Police Station- Dhaka, District- East Champaran.
42. Ajeet Kumar, Son of Kamla Singh, Resident of Village- Chainpura, Police Station- Naubatpur, District- Patna.
43. Himanshu Kumar, Son of Raj Kishore Tiwari, Resident of Village- Raghunathpur Near Sarita Sadan, Police Station- Motihari, District- East Champaran.
44. Satyendra Kumar Singh, Son of Bishwanath Singh, Resident of Village- Pandey Patty, Police Station- Pandey Patty, District- Buxar.
45. Jay Prakash Choudhary, Son of Raghunath Choudhary, Resident of Village- Kudurha, Police Station- Kudurha, District- Buxar.
46. Rajendra Prasad, Son of Sheo Bihari Singh, Resident of Village- Nandlal Kedia, Police Station- Laxmipur Kedia, District- Bhojpur.
47. Binod Kumar Singh, Son of Birendra Bahadur Singh, Resident of Village- Bhelai, Police Station- Udwantnagar, District- Bhojpur.
48. Chandra Shekhar Kumar Ray, Son of Janardan Ray, Resident of Village-



Dianman Arak, Police Station- Arak, District- Buxar.

49. Shashi Ranjan, Son of Ram Kripal Singh Arwal, Resident of Village- Kinjer, Police Station- Kinjer, District- Arwal.
50. Anil Kumar, Son of Ramji Prasad, Resident of Village- Tarouchi, Police Station- Gurua, District- Gaya.
51. Amit Kumar Singh, Son of Ravindra Prasad Singh, Resident of Village- Gidha, Police Station- Kailwar, District- Bhojpur.
52. Ajit Kumar Singh, Son of Rajendra Singh, Resident of Village- Baraura, Police Station- Shreepur, District- Bhojpur.
53. Umesh Kumar Singh, Son of Bashisth Narayan Singh, Resident of Village- Kamriaon, Police Station- Tiyar, District- Bhojpur.
54. Hari Shankar Rai, Son of Kamla Rai, Resident of Village- Bhargsara, Police Station- Biniya, District- Bhojpur.
55. Shambhu Nath Rana, Son of Sheojee Ram, Resident of Village- Kamarioan, Police Station- Tiyar, District- Bhojpur.
56. Sanjay Kumar Paswan, Son of Ramjee Paswan, Resident of Village- Belaon, Police Station- Bhabhua, District- Kaimur.
57. Nagendra Kumar, Son of Ramashray Singh, Resident of Village- Sondhi, Police Station- Buniyadganj, District- Gaya.
58. Manoranjan Pandey, Son of Narendra Deo Pandey, Resident of Mohalla- House No- 427 LCC Building, Police Station- Rampur, District- Gaya.
59. Arunesh Kumar, Son of Arvind Kumar Singh, Resident of Mohalla- Sri Krishna Nagar Motihari, Police Station- Motihari, District- East Champaran.
60. Govind Mohan Singh, Son of Sevanand Singh, Resident of Village- Punhad, Police Station- Ghanshyampur, District- Darbhanga.
61. Nilesh Kumar Pandey, Son of Ramnath Pandey, Resident of Village- Sri Krishna Nagar, Police Station- Motihari, District- East Champaran.
62. Santosh Kumar, Son of Suresh Singh, Resident of Village- Budhgareya, Police Station- Wazirganj, District- Gaya.
63. Pramod Kumar, Son of Ram Chandra Prasad, Resident of Mohalla- Thakurbari, Police Station- Town Motihari, District- East Champaran.
64. Narendra Kumar, Son of Hirdaya Paswan, Resident of Village- Ghato, Police Station- Goh, District- Aurangabad.
65. Vinod Kumar, Son of Pitamber Mahto, Resident of Village- Indranagar, Police Station- Chhatauni Motihari, District- East Champaran.
66. Manoj Kumar Singh, Son of Rajendra Kumar Singh, Resident of Village- Lodipur, Police Station- Rafiganj, District- Aurangabad.
67. Ajay Paswan, Son of Sarju Paswan, Resident of Village- Nema Bigha, Police Station- Gurua, District- Gaya.
68. Basant Kumar Chakrabarty, Son of Dilip Kumar Chakrabarty, Resident of Village- Chhatauni Colony Motihari, Police Station- Motihari, District- East Champaran.



69. Dilip Kumar Singh, Son of Ram Charitra Singh, Resident of Village- Karamchak, Police Station- Madanpur, District- Aurangabad.
70. Ramesh Kumar Singh, Son of Saheb Singh, Resident of Village- Chorahat, Police Station- Madanpur, District- Aurangabad.
71. Gopal Jee, Son of Ramdas Singh, Resident of Village- Madanpur, Police Station- Amas, District- Gaya.
72. Manish Kumar, Son of Surendra Kumar Sinha, Resident of Village- Agarwa Nagar, Police Station- Motihari Town, District- East Champaran.
73. Bimlesh Kumar, Son of Kamlesh Jha, Resident of Village- Sukhnagar, Police Station- K. Hat, District- Purnia.
74. Abhay Kumar, Son of Motilal Sah, Resident of Village- Hanuman Nagar, Police Station- Khajanchi Hat, District- Purnia.
75. Sanjay Kumar, Son of Binoda Nand Mishra, Resident of Village- Tatma Toli, Police Station- Khanjanchi Hat, District- Purnia.
76. Rajnish Kumar, Son of Bhupendra Prasad Yadav, Resident of Village- Rahua, Police Station- Krityanand Nagar, District- Purnea.
77. Neeraj Kumar, Son of Ram Narayan Thakur, Resident of Village- Dumra, Police Station- Dumra, District- Sitamarhi.
78. Amit Kumar Jha, Son of Subhash Chandra Jha, Resident of Village- Dhamdaha, Police Station- Dhamdaha, District- Purnea.
79. Sartaz Khan, Son of Badruddin Khan Resident of Village- Laliyahi, Police Station- Katihar, District- Katihar.
80. Manish Kumar, Son of Deena Nath Prasad, Resident of Village- Khajuriya, Police Station- Bankey Bazar, District- Gaya.
81. Amir Kumar, Son of Nagendra Singh, Resident of Village- Bishunpura, Police Station- Bishunpura, District- Patna.
82. Sanoj Kumar, Son of Late Kedarnath Arya, Resident of Village- Desath, Police Station- Desath, District- Buxar.
83. Abdhesh Kumar Karyee, Son of Surendra Prasad Karyee, Resident of Village- Sahpur Undi, Police Station- Patory, District- Samastipur.
84. Dheeraj Kumar, Son of Sri Amar Nath Roy, Resident of Village- Maula Bagh, Police Station- Arrah, District- Bhojpur.
85. Samrendra Kumar Roy, Son of Bipin Kumar, Resident of Village- Balughat Barahm Asthan, Police Station- Muzaffarpur Town, District- Muzaffarpur.
86. Anil Kumar, Son of Deo Chandra Prasad Srivatava Resident of Village- Balapur, Police Station- Ghorasahan, District- East Champaran.
87. Pradeep Kumar Mishra, Son of Braj Bhushan Mishra, Resident of Village- Raghunathpur, Police Station- Turkaulia, District- East Champaran.
88. Niraj Kumar Jha, Son of Balanath Jha, Resident of Village- Bagahi, Police Station- Ramgarhwa, District- East Champaran.
89. Rajesh Kumar, Son of Ramnath Singh, Resident of Village- Balughat Near Jangli Mai Ashthan, Police Station- Muzaffarpur Town, District- Muzaffarpur.



90. Pawan Kumar, Son of Tej Pratap Singh, Resident of Village- Rathopur Newaji Tola, Police Station- Muffasil Chapra, District- Saran.
91. Rashmi Rani, Daughter of Bindhyachal Singh, Resident of Village- Ratanpura Chhapra, Police Station- Bhagwan Bazar, District- Chhapra.
92. Priya Ranjan, Son of gauri Shankar Singh, Resident of Village- Dumari Road Maripur, Police Station- Meerapur, District- Muzaffarpur.
93. Akabar Ali, Son of Md. Habib, Resident of Village- Damodarpur Paithan Toli, Police Station- Damodarpur, District- Muzaffarpur.
94. Mukesh Singh, Son of Vijay Singh, Resident of Village- Shivpuri Colony Road NO-01 Manpur, Police Station- Buniyadganj, District- Gaya.
95. Upendra Prasad Yadav, Son of Ramdev Ray, Resident of Village- Dipau, Police Station- Kotwa, District- East Champaran.
96. Santosh Kumar Yadav, Son of Virendra Prasad Yadav, Resident of Village- Raghupur, Police Station- Chiraiya, District- East Champaran.
97. Manohar Kumar, Son of Sugga Lal Baitha, Resident of Village- Belbanwa, Police Station- Town Motihari, District- East Champaran.
98. Praveen Kumar Singh, Son of Raj Narayan Singh, Resident of Village- Karariya, Police Station- Gopalganj, District- Gopalganj.
99. Abinash Kumar, Son of Raj Kameshwar Singh, Resident of Village- Kovil, Police Station- Islampur, District- Nalanda.
- 100 Tarun Kumar Singh, Son of Chandeshwar Prasad, Resident of Village- Matihan, Police Station- Dariyapur, District- Saran.
- 101 Harendra Ray, Son of Prabhu Ray, Resident of Village- Saidpur Dighwara, Police Station- Dighwara, District- Saran.
- 102 Ajit Kumar, Son of Sri Kaushal Kishore Dasaundhi, Resident of Village- New Colony Balughat, Police Station- Town Muzaffarpur, District- Muzaffarpur.
- 103 Abhinandan Kumar Singh, Son of Shri Niwash Singh, Resident of Village- Mukrera, Police Station- Revilganj, District- Saran.
- 104 Nitesh Kumar Singh, Son of Madan Mohan Singh, Resident of Village- Mukrera, Police Station- Rivilganj, District- Saran.
- 105 Md Kamrej Alam, Son of Md. Abdul Kalam, Resident of Village- Kusmhi, Police Station- Salkhua, District- Saharsa.
- 106 Shailendra Mohan Singh, Son of Rajbrind Singh, Resident of Village- Kovil, Police Station- Islampur, District- Nalanda.
- 107 Satyendra Kumar, Son of Raj Maheshwari Prasad, Resident of Village- Pakari Barwan, Police Station- Pakri Barwan, District- Nawada.
- 108 Hemant Kumar Singh, Son of Suresh Prasad Singh, Resident of Village- Ashok Nagar, Police Station- Janki Nagar, District- Purnea.
- 109 Divakar Kumar Choudhary, Son of Satyanarayan Choudhary, Resident of Village- Turkawalia, Police Station- Rajandih, District- Rohtas.
- 110 Arun Kumar Singh, Son of Shobhnath Singh, Resident of Village- Pawani, Police Station- Nasriganj, District- Rohtas.



111. Amit Kumar, Son of Shyam Narayan Tiwari, Resident of Village- Kayam Nagar, Police Station- Koilwar, District- Bhojpur.
112. Satyendra Kumar, Son of Yogendra Ram, Resident of Village- Siswa, Police Station- Shikarpur, District- West Champaran.
113. Pravin Kumar Singh, Son of Bipin Bihari Singh, Resident of Village- Bahiro, Police Station- Nawada, District- Bhojpur.
114. Abhay Kumar, Son of Ramyatan Prasad, Resident of Village- Pachrukhiya, Police Station- Khushrupur, District- Patna.
115. Abhay Kumar, Son of Krishna Kumar, Resident of Village- Dumraon, Police Station- Dumraon, District- Buxar.
116. Devendra Ray, Son of Babu Saheb Ray, Resident of Village- Bithouli, Police Station- Baheri, District- Darbhanga.
117. Rajiv Kumar Singh, Son of Ganesh Prasad Singh, Resident of Village- Punhad, Police Station- Ghanshyampur, District- Darbhanga.
118. Shakti Kumar, Son of Ramadhar Singh, Resident of Mohalla- Mahavir Nagar House No-12, Police Station- Patliputra, District- Patna.
119. Santosh Kumar, Son of Arjun Singh, Resident of Village- Ramjee Chak Digha, Police Station- Digha, District- Patna.
120. Ram Chandra Yadav, Son of Baleshwar Yadav, Resident of Village- Dilawarpur, Police Station- Bahadurpur, District- Darbhanga.
121. Jaynath Kumar Yadav, Son of Ram Narayan Yadav, Resident of Village- Birpur, Police Station- Laukaha, District- Madhubani.
122. Subir Kumar Singh, Son of Murari Lal Singh, Resident of Village- Raghua, Police Station- Uchakagaon, District- Gopalganj.
123. Mukesh, Son of Ram Sagar Prasad, Resident of Village- Parewa, Police Station- Shikarganj, District- East Champaran.
124. Ramesh Kumar, Son of Asharfi Ray, Resident of Village- Kunawa, Police Station- PakriDayal, District- East Champaran.
125. Chandra Shekhar Ram, Son of Raghu Ram, Resident of Village- Barkagaon, Police Station- Pakridayal, District- East Champaran.
126. Md. Zahid Khan, Son of Md Tarique Khan, Resident of Village- Dihlahi, Police Station- Bishanpur, District- Darbhanga.
127. Arvind Kumar, Son of Govind Jee, Resident of Village- Ward No-11 Sawambar Teli Ki Gali, Police Station- Dumraon, District- Buxar.
128. Manoranjan Kumar Singh, Son of Late Surendra Prasad Singh, Resident of Village- Masarh Tola, Police Station- Jagdishpur, District- Bhojpur.
129. Bikram Kumar Jha, Son of Ashok Kumar Jha, Resident of Mohalla- Bank Colony Lane No-8 Krishna Bihar Gola Road, Police Station- Ram Krishna Nagar, District- Patna.
130. Jitendra Kumar, Son of Vishwanath Prasad, Resident of Village- Kinjer, Police Station- Kinjer, District- Arwal.
131. Raju Kumar Singh, Son of Devendra Prasad Singh, Resident of Village- Rathour Tola Newaji Tola, Police Station-Mufassil, District- Saran.



- 132 Akhilesh Kumar Singh, Son of Sri Chandeshwar Prasad Singh, Resident of Village- Aliyaspur, Police Station-Garkha, District- Saran.
- 133 Niraj Kumar, Son of Suresh Prasad Yadav, Resident of Village- Masoomganj, Police Station- Chapra, District- Chapra.
- 134 Kundan Kumar Jhunnu, Son of Kamleshwar Thakur, Resident of Village- Pursotampur, Police Station- Kalyanpur, District- Samastipur.
- 135 Arun Kumar Panday, Son of Namo Narayan Pandey, Resident of Village- Nizirpur Near Central High School, Police Station- Ahiyapur, District- Muzaffarpur.
- 136 Chandra Mauli Kumar, Son of Raja Ram Singh, Resident of Village- Begampur Nathachak, Police Station- Begampur, District- Nalanda.
- 137 Sanjay Kumar Srivastava, Son of Shambhu Prasad, Resident of Village- Patauralala Tola, Police Station- Mufassil Motihari, District- East Champaran.
- 138 Awadhesh Kumar, Son of Kapildeo Singh, Resident of Village- Raghopur, Police Station- Chiraiya, District- East Champaran.
- 139 Ajit Kumar Singh, Son of Late Gokhul Singh, Resident of Mohalla- Kalinagari Near Kali Mandir Raxaul, Police Station- Raxaul, District- East Champaran.
- 140 Kumar Gourav, Son of Bijay Krishna Jha, Resident of Mohalla- Near Sagun Niwas Kamal Nagar Colony Mirjanhat, Police Station- Mojahidpur, District- Bhagalpur.
- 141 Pran Mani Singh, Son of Ashok Kumar Singh, Resident of Village- Chandadih, Police Station- Dhoriya, District- Banka.
- 142 Manoj Kumar Singh, Son of Late Shyam Sundar Singh, Resident of Village- Gangabagh Colony Barari, Police Station- Zeromile, District- Bhagalpur.
- 143 Sumit Kumar, Son of Satya Narayan Singh, Resident of Village- Kashri, Police Station- Antichak Kahalgaon, District- Bhagalpur.
- 144 Ranveer Kumar, Son of Ravindra Singh, Resident of Village- Karnauti, Police Station- Bakhtiyarpur, District- Patna.
- 145 Ravindra Kumar, Son of Tula Prasad Yadav, Resident of Village- Ekamba, Police Station- Sirdala, District- Nawada.
- 146 Navin Kumar, Son of Ayodhya Rai, Resident of Village- Kharon Khurda, Police Station- Sahar, District- Bhojpur.
- 147 Nagendra Kumar Verma, Son of Late Sidheshwar Nath Verma, Resident of Village- Purnadih, Police Station- Madanpur, District- Aurangabad.
- 148 Gautam Kumar Kashyap, Son of Ranjit Kumar Kashyap, Resident of Mohalla- Mahatama Gandhi Nagar Bahadurpur Housing Colony, Police Station- Agam Kuan, District- Patna.
- 149 Abhiram Kumar, Son of Umesh Sharma, Resident of Village- Karauta, Police Station- Salimpur, District- Patna.
- 150 Ram Awatar Ram, Son of Ram Prabhaw Ram, Resident of Village- Dadar, Police Station- Mohania, District- Kaimur.



- 151 Niraj, Son of Bisheshwar Singh, Resident of Village- Basepur, Police
. Station- Bajpatti, District- Sitamarhi.
- 152 Shivjee Kumar, Son of Laxman Prasad, Resident of Village- Banahi, Police
. Station- Bihiya, District- Bhojpur.
- 153 Ravindra Kumar, Son of Ram Narayan Ram, Resident of Mohalla- Golghar
. Park Road Patna, Police Station- Gandhi Maidan, District- Patna.
- 154 Suman Kumar, Son of Bijendra Prasad Kapri, Resident of Mohalla-
. Sandalpur Sharma Tola Near Kali Mandir, Police Station- Muffasil, District-
Munger.
- 155 Rajiv Kumar, Son of Kameshwar Prasad, Resident of Mohalla- Chowk West
. Ram Krishna Nagar, Police Station- Ram Krishna Nagar, District- Patna.
- 156 Bhim Singh, Son of Guput Singh, Resident of Village- Belaon, Police
. Station- Belaon, District- Kaimur.
- 157 Vijay Kumar, Son of Suresh Ram, Resident of Village- Illage Kumari, Police
. Station- Karmachat, District- Kaimur.
- 158 Binod Kumar Pal, Son of Ram Janam Pal, Resident of Village- Sawar,
. Police Station- Karmachat, District- Kaimur.
- 159 Priti Kumari, Daughter of Sunil Kumar Mishra, Resident of Village-
. Bsudeopur, Police Station- Muffasil, District- Munger.
- 160 Neha Kumari, Daughter of Nageshwar Prasad Singh, Resident of Village-
. Sanhauli, Police Station- Khagaria, District- Khagaria.
- 161 Purushottam Kumar, Son of Sadhu Sharan Lal, Resident of Village- Sumka,
. Police Station- Chandi, District- Nalanda.
- 162 Kanhaiya Kumar, Son of Yogendra Prasad Singh, Resident of Village-
. Mokama Moldiar Tola, Police Station- Mokama, District- Patna.
- 163 Sushil Kumar, Son of Kapileshwar Paswan, Resident of Village- Kharatta,
. Police Station- Chautham, District- Khagaria.
- 164 Ved Prakash Singh, Son of Dharamdeo Singh, Resident of Village- Rana
. Bigha, Police Station- Barh, District- Patna.
- 165 Arun Kumar, Son of Hira Lal Mandal, Resident of Mohalla- Sharda Nagar
. Purnia, Police Station- Purnia, District- Purnia.
- 166 Devdas Vatsa, Son of Ram Kishore Roy, Resident of Mohalla- Krishana
. Garh Colony, Police Station- Sultanganj, District- Bhagalpur.
- 167 Chandra Shekhar Kumar Yadav, Son of Sheo Balak Yadav, Resident of
. Village- Nandlal Kadera, Police Station- Sahpur, District- Bhojpur at Ara.
- 168 Surendra Prasad, Son of Ram Bilash Ram, Resident of Village- Belaon,
. Police Station- Belaon, District- Kaimur.
- 169 Rajesh Kumar, Son of Chandra Mauli Prasad Singh, Resident of Village-
. Babhangama, Police Station- Begusarai, District- Begusarai.
- 170 Achint Kumar Singh, Son of Nagendra Singh, Resident of Village- Khaldiya
. Barka Gaon, Police Station- Tarari, District- Bhojpur.
- 171 Arvind Kumar, Son of Prem Chandra Prasad, Resident of Mohalla- R.K.
. College Gate Ward No-11 Madhubani, Police Station- Madhubani, District-



Madhubani.

- 172 Suman Kumar, Son of Ram Baran Prasad, Resident of Village- Masud Bigha, Police Station- Barh, District- Patna.
- 173 Yatendra Kumar Pathak, Son of Late Radha Krishna Pathak, Resident of Mohalla- Bekapur Near Durga No.4, Police Station- Muffasil, District- Munger.
- 174 Shivraj Nandan Singh, Son of Krishna Nandan Singh, Resident of Mohalla- Veer Kunwar Singh Colony Munger, Police Station- Mufassil, District- Munger.
- 175 Raghunath Jha, Son of Shyam Sundar Jha, Resident of Village- Horalpatti, Police Station- Rameshwar Nagar, District- Darbhanga.
- 176 Reetesh Ranjan, Son of Chitranjan Prasad, Resident of Village- Bewarl, Police Station- Kothi, District- Gaya.
- 177 Sambhoo Rai, Son of Jai Narayan Rai, Resident of Village- Keshopur, Police Station- Kurhni, District- Muzaffarpur.
- 178 Kumar Raushan Kishor, Son of Arun Kishor, Resident of Village- Dhurgaon, Police Station- Ekangarsarai, District- Nalanda.
- 179 Mukesh Kumar, Son of Satya Narayan Singh, Resident of Village- Rupsipur, Police Station- Manhar, District- Vaishali.
- 180 Ajeet Kumar, Son of Ramdeo Paswan, Resident of Village- Prahlad Chauk, Police Station- Fatua, District- Patna.
- 181 Vinay Kumar Sharma, Son of Late. Kailash Pati Sharma, Resident of- Lagartoli Lane, Police Station- Pirbahore, District- Patna.
- 182 Vijay Kumar Choudhary, Son of Krishna Chandra Choudhary, Resident of Village- Darhar, Police Station- Bahadurpur, District- Darbhanga.
- 183 Jitendra Kumar, Son of Ram Naresh Singh, Resident of Village- Bajitpur, Police Station- Paru, District- Muzaffarpur.
- 184 Dilip Kumar Ram, Son of Shayam Sundar Ram, Resident of Village- Hata Bishunpura, Police Station- Ekma, District- Saran.
- 185 Ajay Kumar, Son of Ram Rameshwar Kumar Yadav, Resident of Village- Bighan, Police Station- Manjhi, District- Saran.
- 186 Sanoj Kumar Pandey, Son of Shatrudhan Pandey, Resident of Village- Chota Brahampur, Police Station- Mufassil, District- Chapra.
- 187 The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
- 188 The Secretary, Home Department, Government of Bihar, Patna.
- 189 The Director General of Police, Government of Bihar, Patna.
- 190 The Inspector General, Headquarter, Patna, Bihar.

... Respondent/s



with
Letters Patent Appeal No. 1022 of 2025
In
Civil Writ Jurisdiction Case No.2484 of 2023

1. The Bihar Staff Selection Commission through its Secretary, Bailey Road, P.O.-Veterinary College Campus, Sheikhpura, Patna-14.
2. The Chairman, Bihar Staff Selection Commission, Bailey Road, P.O.-Veterinary College Campus, Sheikhpura, Patna-14.

... .. Appellant/s

Versus

1. Gopal Swaroop Son of Shitla Prasad Tiwary, Resident of Mohalla-New Area, Post and Police Station-Sasaram, District-Rohtas.
2. Dayanand Mishra, Son of Late Ramchandra Mishra Resident of Village-Bauraha, Police Station- Laukaha, District- Madhubani.
3. Sunil Kumar Dubey, Son of Ramkrishna Dubey Resident of Village and Post- Bangra, Police Station- Daudpur, District- Chhapra.
4. Naresh Kumar, Son of Bishwanath Tiwari Resident of Village- Bhagwanpur Pakari, P.O.- Manikpur Pakari, Police Station- Lalganj, District- Vaishali.
5. Prabhakar Kumar, S/o Gangadhar Prasad Vill.- Raghunathpur, P.S.- Sahebpur, Dist.- Begusarai.
6. Rajesh Sharan, Son of Rameshwar Nath Sharan Resident of Village- Nai Bazar, Betia Raj Chhawni Chapra, Police Station- Bhagwan Bajar, District- Chapra (Saran).
7. Niraj Kumar, Son of Sri Shambhu Narayan Singh Resident of Village-Tandih, Post and Police Station- Chauparan, Distt.- Hazaribagh (Jharkhand).
8. Navin Kumar Verma, Son of Mahendra Prasad Verma Resident of Village-Kusumyori, Post- Fatehpur, Police Station- Chandan, District- Banka.
9. Rajeev Kumar, Son of Uday Shankar Prasad Singh Resident of Village and Post- Vaishali, Police Station- Vaishali, District- Vaishali.
10. Vinay Shankar, S/o Mantu Singh Resident of Vill.- English Chichraun, P.S.- Akbarpur, Dist.- Bhagalpur.
11. Rohit Goswami, Son of Satya Naryan Goswami Resident of Village-Rangiya Saraiya, Police Station- Bandhuwa Kurawa, District- Banka.
12. Ajit Kumar Thakur, Son of Late Kusheshwar Thakur Resident of Village and P.O.- Bhagwatpur, Police Station- Sarairanjan, District- Samastipur.
13. Mithilesh Thakur, Son of Rajendra Thakur C/o Gopal Sharma, residing at Janta Flat, Block No.- 5, Flat No.- 217, Sector- 06, B.N. Colony, Post- Lohia Nagar, Police Station- Kankarbagh, Distt.- Patna.
14. Sarita Kumari, Daughter of Kartik Pandey Resident of Village- Rampur Dumra, Police Station- Maranchi, Distt.- Patna.
15. Kamlesh Kumar, Son of Rajeshwari Singh Resident of Village- Rampur



Dumra, Police Station- Maranchi, District- Patna.

16. Subhash Chandra Bose, Son of Late Ramkrit Paswan, Resident of Village- Mehandwar, Post- Pahariya, Police Station- Bhagwanpur, District- Kaimur at Bhabhua.
17. Mukesh Kumar Jha, Son of Pramod Kumar Jha, Resident of Village- Dhamoura, Police Station- Sathi, District- West Champaran.
18. Awadhesh Kumar Paswan, Son of Sheo Kumar Paswan, Resident of Village- Semra, Post- Balua, Police Station- Brahampur, District- Buxar.
19. Shyam Nandan Yadav, Son of Budhan Yadav Resident of Village- Bherkhiya, Police Station- Pipra, District- East Champaran.
20. Munna Ram, Son of Ramashankar Ram Resident of Village- Puchhari, Post- Gayghat, Police Station- Brahampur, District- Buxar.
21. Goutam Ram, Son of Ram Prasad Ram Resident of Village- Hamindpur, Police Station- Baikunthpur, District- Gopalganj.
22. Rajeev Kumar Chaudhary, Son of Krishna Nand Chaudhary, Resident of Village- Marahiya, Post- Meera Mushehari, Police Station- Chhapra Muffasil, District- Saran.
23. Parmeshwar Nath, Son of Madan Ram, Resident of Village- Ganj, Post- Ossain, Police Station- Bihiya, District- Bhojpur.
24. Bipin Kumar Sinha, Son of Late Bhagwat Prasad, Resident of Village- Jai Prakash Nagar, Police Station- Aurangabad, District- Aurangabad.
25. Rajeev Kumar Singh, Son of Ram Nandan Prasad Singh, Resident of Village- Jaipur, Police Station- Mali, District- Aurangabad.
26. Dhananjay Kumar Singh, Son of Chandra Deo Singh, Resident of Village- Khaira House New Area Near P.N.B. Aurangabad, Police Station- Aurangabad, District- Aurangabad.
27. Dilip Kumar Singh, Son of Dhaneshwar Singh, Resident of Village- Chouriya, Police Station- Phesar, District- Aurangabad.
28. Sanjay Kumar Singh, Son of Dwarika Singh, Resident of Village- Pratapganj, Police Station- Rajpur, District- Rohtas.
29. Anil Kumar, Son of Hamesha Nand Ray, Resident of Village- Taraon, Police Station- Nashriganj, District- Rohtas.
30. Arvind Kumar Rai, Son of Shanketha Rai, Resident of Village- Baddha, Police Station- Noan, District- Kaimur (Bhabua).
31. Rahul Ranjan, Son of Sri Narad Singh, Resident of Village- Danwar, Police Station- Kacchwa, District- Rohtas.
32. Sunil Kumar, Son of Nathuna Singh, Resident of Village- Bakara, Police Station- Dinara, District- Rohtas.
33. Nitish Kumar Prasad, Son of Byas Prasad, Resident of Village- Bangra, Police Station- Hathwa, District- Gopalganj.
34. Arvind Kumar Singh, Son of Baidyanath Singh, Resident of Village- Singha Tola Panditpura, Police Station- Mirgan, District- Gopalganj.
35. Rana Ranjit Kumar, Son of Ramdeo Prasad Yadav, Resident of Village-



Jagbani, Police Station- Gamhariya, District- Madhepura.

36. Rakesh Kumar Singh, Son of Shrawan Kumar Singh, Resident of Village- Sabari, Police Station- Kachhawan, District- Rohtas.
37. Vijay Kumar, Son of Late Nawal Kishore Sharma, Resident of Village- Muriyabigha, Police Station- Okari, District- Jehanabad.
38. Rajeev Kumar, Son of Kedhar Nath Kumar, Resident of Village- Pidhauri, Police Station- Teghra, District- Begusarai.
39. Amresh Kumar, Son of Vignesh Prasad Singh, Resident of Village- Barauni, Ghazipur, Police Station- Barauni, District- Begusarai.
40. Prashant Kumar, Son of Upendra Singh, Resident of ward no. 6, Village- Nipania, Barauni, Police Station- Phoolwaria, District- Begusarai.
41. Shaliendra Kumar, Son of Rajendra Singh, Resident of Village- Gurdaspur Nagar Parishad, Bihat, Police Station- Barauni, District- Begusarai.
42. Prashna Prashant, Son of Chandeshwari Prasad Singh, Resident of Village- Ismailpur, Nagar Parishad, Bihat, Police Station- Barauni, District- Begusarai.
43. Pawan Kumar Yadav, Son of Bhola Yadav, Resident of Village- Pidhauri, Police Station- Teghra, District- Begusarai.
44. Kamal Nath Jha, Son of Jagdev Jha, Resident of Village- Pidhauri, Police Station- Teghra, District- Begusarai.
45. Mukesh Kumar, Son of Kapil Deo Singh, Resident of Village- Bihat, Police Station- Barauni, District- Begusarai.
46. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
47. The Secretary, Home Department, Government of Bihar, Patna.
48. The Director General of Police, Government of Bihar, Patna.
49. The Inspector General Headquarter, Patna, Bihar.

... ... Respondent/s

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with
Letters Patent Appeal No. 1028 of 2025
In
Civil Writ Jurisdiction Case No.2372 of 2023

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1. The Bihar Staff Selection Commission through its Secretary, Bailey Road, P.O.-Veterinary College Campus, Sheikhpura, Patna-14.
2. The Chairman, Bihar Staff Selection Commission, Bailey Road, P.O.-Veterinary College Campus, Sheikhpura, Patna-14.

... ... Appellant/s

Versus

1. Santosh Kumar Son of Lakshmikant Prasad, Resident of Village- Damodarpur Chakia, Police Station-Pipra, District-East Champaran.



2. Raj Kumar Singh Son of Rajendra Singh, Resident of village- Ameth, Police Station- Mohania, District- Kaimur.
3. Nityanand Prasad, Son of Munni Ram, Resident of village- Ameth, Police Station- Mohania, District- Kaimur.
4. Pritam Ranjan @ Pratim Ranjan, Son of Mahesh Prasad Verma, Resident of Mohalla- Sitarampur, Police Station- Sultanganj, District- Bhagalpur.
5. Bijendra Kumar, Son of Ram Narayan Ram, Resident of village- Nathopur, Police Station- Kudra, District- Kaimur.
6. Pradeep Kumar, Son of Radhe Shyam Gupta, Resident of village- Karhari, Police Station- Karaghar, District- Rohtas.
7. Durga Prasad Pal, Son of Sheo Gahan Pal, Resident of village- Lalapur, Police Station- Kudra, District- Kaimur.
8. Sunil Kumar, Son of Rajendra Prasad Yadav, Resident of village- Tilkamanjhi Hat Jagdishpur Bhagpur, Police Station- Tilkamanjhi, District- Bhagalpur.
9. Jitendra Kumar, Son of Ashok Paswan, Resident of Mohalla- Jawaripur Jail Road, Police Station- Tilkamanjhi, District- Bhagalpur.
10. Arun Kumar Tiwari, Son of Shalik Ram Tiwari, Resident of village- Kenduni, Police Station-Magadh Medical, District- Gaya.
11. Pramod Kumar, Son of Suraj Prasad, Resident of Mohalla- Nawagarhi Near Old Jain Temple, Police Station- Vishnupad, District- Gaya.
12. Mungee Kumar, Son of Radhe Dhyam Singh, Resident of village- Parsar, Police Station- Karakat Gorari, District- Rohtas.
13. Sanjay Kumar Karan, Son of Rajniti Prasad Yadav, Resident of village- Labhgaon, Police Station- Khagaria, District- Khagaria.
14. Asgar Nadeem, Son of Raza Karim, Resident of village- Daniyalpur, Police Station- Tegra, District- Begusarai.
15. Sanjiv Kumar Sinha, Son of Devendra Prasad, Resident of village- Kaswa, Police Station- Teghra, District- Begusarai.
16. Niraj Kumar, Son of Pankaj Prasad Singh, Resident of village- Ward No. 20, Naukhutti, Madhurapur, Police Station- Teghra, District- Begusarai.
17. Ashok Kumar Pathak, Son of Rajkumar Pathak, Resident of village- Asnouliya, Police Station- Pandu, District- Palamu, State- Jharkhand.
18. Narad Kumar Yadav, Son of Indradev Yadav, Resident of village- Bhildiha, Police Station- Manatu, District- Palamu, State- Jharkhand.
19. Bir Bhawani, Son of Bhagwan Singh, Resident of village- S.P. Kothi Marg, Abadganj, Police Station- Daltonganj, District- Palamu, State- Jharkhand.
20. Mukesh Kumar, Son of Ramjee Choudhary, Resident of village- Ramnagar Math, Police Station- Khagaria, District- Khagaria.
21. Manoj Kumar, Son of Awedesh Singh, Resident of village- Singhora, Police Station- Bazirganj, District- Gaya.
22. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.



- 23. The Secretary, Home Department, Government of Bihar, Patna.
- 24. The Director General of Police, Government of Bihar, Patna.
- 25. The Inspector General, Headquarter, Patna, Bihar.

... .. Respondent/s

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Appearance :

(In Letters Patent Appeal No. 998 of 2025)

For the Appellant/s	:	Mr. P. K. Shahi, Advocate General Mr. Md. Nadim Seraj, GP-5 Mr. Shailesh Kumar (AC to GP- 05)
For the BSSC	:	Mr. Satyabir Bharti, Sr. Advocate Mr. Gyan Shankar, Advocate Ms. Kanupriya, Advocate Mr. Abhishek Anand, Advocate Ms. Aastha Prakash, Advocate
For Pvt. Respondents	:	Mr. Abhinav Shrivastava, Sr. Advocate Mr. Nilendu Kumar Chaudhary, Advocate

(In Letters Patent Appeal No. 988 of 2025)

For the Appellant/s	:	Mr. P. K. Shahi, A.G. Mr. Satyabir Bharti, Sr. Advocate Mr. Gyan Shankar, Advocate Mr. Abhishek Anand, Advocate Ms. Kanupriya, Advocate
For the State	:	Mr. Manoj Kumar, AC to GP-04
For the Pvt. Respondent	:	Mr. Sanjay Singh, Sr. Advocate Mr. Nilendu Kumar Chaudhary, Advocate

(In Letters Patent Appeal No. 1022 of 2025)

For the Appellant/s	:	Mr. Satyabir Bharti, Sr. Advocate Mr. Ghyan Shankar, Advocate Mr. Abhishek Anand, Advocate Ms. Kanupriya, Advocate
For the State	:	Mr. Sheo Shankar Prasad, SC- 8 Mr. Anil Kumar, AC to SC- 8 Mr. Sanjay Kumar, AC to SC- 8
For the Pvt. Respondent	:	Mr. D. K. Sinha, Sr. Advocate Mr. Alexendar Ashok, Advocate Mr. Nilendu Kumar Chaudhary, Advocate

(In Letters Patent Appeal No. 1028 of 2025)

For the Appellant/s	:	Mr. Satyabir Bharti, Sr. Advocate Mr. Ghyan Shankar, Advocate Mr. Abhishek Anand, Advocate Ms. Kanupriya, Advocate
For the Respondent/s	:	Government Pleader (05)
For the Pvt. Respondent	:	Mr. Manish Kumar No. 2, Advocate Mr. Nilendu Kumar Chaudhary, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE HARISH KUMAR



CAV JUDGMENT

(Per: HONOURABLE MR. JUSTICE HARISH KUMAR)

Date : 28-04-2026

Heard Mr. P K Shahi, learned Advocate General for the State of Bihar and Mr. Satyabir Bharti, learned Senior Advocate appearing on behalf of the Bihar Staff Selection Commission. On the other hand, respondents are represented by Mr. Sanjay Singh, learned Senior Advocate in L.P.A. No. 988 of 2025; Mr. Abhinav Srivastava, learned Senior Advocate in L.P.A. No. 998 of 2025 and Mr. D. K. Sinha, learned Senior Advocate in L.P.A. No. 1022 of 2025 along with other counsel in the bunch of these letters patent appeal.

2. All these intra-court appeals have been preferred under Clause 10 of the letters patent by the respondents-appellant herein against the judgment dated 20.08.2025 passed in C.W.J.C. No. 2372 of 2023 and other analogous writ petitions, whereby and whereunder the learned Single Judge has been pleased to allow all the writ petitions and directed the respondents to give appointment to the petitioners against the vacancies at the earliest for the post of Sub-Inspector of Police under Advertisement No. 704 of 2004, if they are found medically fit.

3. Though the point for consideration before this



Court lies in narrow compass considering the claim of the writ petitioners for their appointment to the post of Sub-Inspector of Police, by seeking parity with 133 appellants, who have been allowed to undergo medical test by the Hon'ble Supreme Court, in Civil Appeal No. 2795-2797 of 2017 and consequently appointed; however, in order to appreciate such issue, necessary facts are summarized hereinbelow:-

(i) In the year 2004, the State of Bihar came out with an Advertisement bearing No. 704 of 2004 duly issued by the Bihar Staff Selection Commission for appointment of 1510 posts of Sub-Inspector of Police. In pursuance of such advertisement, physical test was conducted in the year 2006 and the selected candidates were permitted to participate in the written examination and finally the result was declared on 30.05.2008. Some of the unsuccessful candidates, on being aggrieved with the model answers, as there were certain mistakes, they approached this Court by filing different writ petitions and challenged the final result. In pursuant to the orders in different writ petitions, an Expert Committee was constituted by the Bihar Staff Selection Commission (hereinafter referred to as, "Commission"). After proper re-scrutinization of the answer sheets, 160 selected candidates were required to be removed.



However, the Government of Bihar took a lenient view to retain 160 originally selected candidates and consequently, 639 more vacancies were added to accommodate those 160 originally selected candidates in order to maintain the roster.

(ii) Notwithstanding the aforesaid facts, some of the candidates still felt unsatisfied with the correctness of some answers and the increase of vacancies by 639, preferred writ petitions in the High Court and ultimately the matter was carried to Hon'ble Supreme Court in Civil Appeal No. 1240-41 of 2011 with other analogous appeals.

(iii) On account of increase of the vacancies, altogether 1510 + 639 total 2149 candidates were declared successful and appointments were made. In the meanwhile, in the case of ***Rajeev Kumar & Ors. -Vrs.- The State of Bihar & Ors.*** and other analogous cases, ***(2015) SCC OnLine Pat 4597***, this Court issued a further direction to appoint 67 candidates belonging to most backward category, who were wrongly left out. The State, in pursuant thereto, appointed those 67 candidates and again taking a lenient view not to disturb the selected candidates decided to appoint 186 candidates in the High Court and the matter finally traveled to Hon'ble Supreme Court in the case of ***Chandra Gupta Kumar & Ors. -Vrs.- State***



of Bihar & Ors., (2015) SCC OnLine SC 1810, wherein the Hon'ble Supreme Court vide order dated 14.08.2015 provided to maintain status-quo.

(iv) In the meanwhile, in the contempt petition, those were filed in C.A. No. 2805 of 2017 and C.A. No. 2806 of 2017, which appeals were disposed off on 14.09.2017 in Civil Appeal No. 2795-2797 of 2017; the Hon'ble Supreme Court referring to its order dated 08.05.2017 (*Chandra Gupta Kumar & Ors. -Vrs.- State of Bihar & Ors.*), (2017) SCC OnLine SC 1896, taking the view that the Court has carved out and classified 133 candidates into a specific category and placed them along with 186 candidates; exercising the jurisdiction under Article 142 of the Constitution of India ruled that there cannot be any other procedure for 133 candidates, except the medical examination.

(v) The appointment of 133 candidates, in pursuant to the order of the Hon'ble Supreme Court, in the opinion of the petitioners gave a fresh cause of action, as the petitioners in the writ applications were having more marks than the last cut off marks of 133 candidates. In the aforesaid premise, the writ petitioners have preferred writ petitions, which came to be dismissed after noticing that the issue now stands closed with the selection process, having been completed long time back.



(vi) Aggrieved, the writ petitioners preferred letters patent appeal, which also came to be dismissed by different orders of learned co-ordinate Division Bench of this Court. The writ petitioners-respondents herein challenged the order of the learned Single Judge as well as the Division Bench in S.L.P. (C) No. 8932-8940 of 2020 and S.L.P. (C) Diary No(s). 39051 of 2019. Both the aforementioned Special Leave to Appeal as well as SLP were heard on 28.10.2020 and 05.01.2021 respectively and came to be dismissed. However, the Hon'ble Apex Court taking note of the fact that the writ petitioners have already submitted their representations, the authorities concerned were directed to consider the same and dispose off in accordance with law.

(vii) The representations of the petitioners were considered and finally came to be rejected by different orders by the Inspector General of Police (Headquarter), Bihar which were challenged before this Court in C.W.J.C. No. 2372 of 2023 and other analogous cases.

(viii) The learned Single Judge after having considered the submissions advanced by learned Advocate for the respective parties and taking note of the decisions rendered by the Hon'ble Supreme Court in different matters, finally allowed the writ petitions vide its order dated 20.08.2025 in



C.W.J.C. No. 2372 of 2023 and other analogous cases by
holding as follows:-

“16 Taking into consideration the fact that the petitioners passed in physical test held in the year 2006, appeared in the written test and qualified and further taking into consideration the fact that prima facie, it appears that they have secured more marks under the respective categories than the 133 candidates who were appointed pursuant to the order passed by the Hon’ble Supreme Court and further taking into consideration the fact that in the year, 2023 and 2024 also, some of the candidates were appointed by the respondents under the recruitment process of 2004, I am of the view that on the ground of equity, the petitioners are also entitled to get their appointment as they have secured more marks than the 133 candidates. Depriving the petitioners of their appointment would be grave and irreparable prejudice to them. Respondents ought to have acted with more reasonableness and in accordance with the legal principles discussed above without causing discrimination and prejudice to any candidate who are similarly situated with other appointed candidates rather on better footing as they have obtained more marks than the 133 appointed candidates, as mentioned above.

17 For the reasons, as discussed above, all the petitions are allowed.

18 The respondents are directed to give appointment to the



petitioners against the vacancies at the earliest for the post of Sub Inspector under Advertisement No 704 of 2004, if they are found medically fit.”

4. Mr. P K Shahi, learned Advocate General, Government of Bihar along with Mr. Satyabir Bharti, learned Senior Advocate representing the Commission while assailing the impugned judgment submitted that all the petitioners-respondents herein are admittedly unsuccessful applicants for the post of Sub-Inspector of Police against the Advertisement No. 704 of 2004. In sum and substance, they are seeking a direction upon the respondent authorities to extend the benefit of right of equality taking into consideration the order passed by the Hon'ble Apex Court in Civil Appeal No (s). 2795-2797 of 2017 (**Chandra Gupta Kumar & Ors.**) (supra), through which 133 candidates were directed to be appointed only after medical examination, besides they also sought quashing of the order dated 18.02.2019 passed by the Inspector General of Police (Headquarters), Bihar, Patna by which the representations of the petitioners have been rejected.

5. The very claim of the petitioners seeking parity with 133 candidates is said to be wholly misconceived and unacceptable, in view of the fact that they were appointed in



pursuant to the order of the Hon'ble Supreme Court dated 24.10.2018, exercising the special power acquired under Article 142 of the Constitution of India in the peculiar background of the litigation starting from the advertisement in the year 2004 with a clear stipulation that this judgment/order shall not be treated as a precedent.

6. Taking this Court through the order dated 14.09.2017, in Civil Appeal No(s). 2795-2797 of 2017, it is submitted that the Hon'ble Supreme Court made it clear that such judgment is passed in the peculiar facts of these cases, for doing complete justice and therefore, it may not be treated as precedent. The Hon'ble Court further directed the Registry that it shall not entertain any petition/application, either impleadment or reopening or review in respect of the selection of Sub-Inspector for the year 2004, without express permission from this Court. The Government of Bihar in compliance with the aforesaid direction issued the appointment letters in favour of 133 candidates, who were found fit. However, without express permission of the Hon'ble Supreme Court no similar treatment can be extended to others. Hence, the claim of the petitioners is not tenable.

7. Mr. P K Shahi, learned Advocate General further



referred an order dated 01.11.2018 along with Contempt Petition (C) No. 1871-1875 of 2018 and submitted that in the said case, on the insistence made by some of the candidates, though the Hon'ble Apex Court observed that applicants are free to make representations appealing to the good conscience to the State of Bihar and the State of Bihar is free to consider the same and pass appropriate orders, in accordance with law but with the caveat, in case, such representations made by the intervenors/applicants are rejected, it will not give rise to any proceedings/appeal in any of the Courts. Since all the writ petitioners have submitted their representations, which was considered in the light of the aforementioned order of the Hon'ble Supreme Court and on being found no merit, came to be rejected, it will not give rise to any proceeding/appeal as mandated by the Hon'ble Supreme Court vide its order dated 01.11.2018.

8. Various orders of the learned Single Judge as well as of the learned Division Bench have been brought to the notice of this Court that in similar circumstances, their cases were dismissed. Learned Senior Advocates representing the State and the Commission further submitted that the learned Single Judge has committed error in holding that in the case of one *Dinesh*



Kumar and *Mala*, their appointments were made subsequent to the appointment of 133 candidates and, as such, the selection process has been continuing till date.

9. So far the case of *Dinesh Kumar* is concerned, it is clarified that in the light of the judgment passed by the Hon'ble Supreme Court in Contempt Petition (C) No. 1711 of 2018, the Government had decided to appoint him to the post of Sub-Inspector of Police; since on account of non-disclosure of the case registered against him in Character Verification Form before appointment, he could not be appointed. Moreover, he is also one of those 133 applicants before the Hon'ble Supreme Court. Similarly, in the case of *Mala*, she was not unsuccessful candidate, rather her case was recommended for appointment but was debarred on the basis of applying from two places, hence her selection was not found to be in terms with the prescriptions of Advertisement No. 05 of 2011. Aggrieved with such action, she preferred C.W.J.C. No. 15182 of 2017. The impugned order, withdrawing her recommendation was found to be illegal and contrary to the provisions of the advertisement and accordingly, quashed. Consequently, both were appointed pursuant to the order of the Court.

10. It is further submitted that the learned Single



Judge has also failed to consider the categorical direction of the Hon'ble Apex Court to not make any selection much less appointment in regard to Advertisement No. 704 of 2004. The error is apparent accepting the parity of the petitioners with 133 candidates ignoring the order/judgment dated 14.09.2017 passed in Civil Appeal No(s). 2795-2797 of 2017.

11. It is lastly contended that the learned Single Judge has not appreciated that the appointment against advertisement of 2004 cannot be an endless process and, moreover, equality under Article 14 of the Constitution does not envisage negative equality, merely because indulgence was extended to 133 candidates in exercise of powers under Article 142 of the Constitution of India.

12. On the other hand, Mr. Sanjay Singh, learned Senior Advocate for the respondents submitted that the case of the petitioners are not based on parity with those of 133 candidates, who were duly appointed in pursuant to the order/judgment of the Hon'ble Supreme Court while exercising the power under Article 142 of the Constitution of India rather the petitioners are having independent claim, seeking their appointment on their respective merit. The Hon'ble Supreme Court was seized of the matter, allowed the petitioners to



approach the High Court with a direction to the concerned respondents to consider the claim of the petitioners raised in their representations, but surprisingly, the concerned respondents without considering the claim of the petitioners have rejected the same by only saying that they are not covered with Article 142 of the Constitution like the 133 candidates, who have been directed to be appointed by the Hon'ble Apex Court, irrespective of the fact that vide order dated 01.11.2018 passed by the Hon'ble Apex Court in the case of writ petitioners, it has been clearly stated that the authorities have to take a decision in accordance with law.

13. In the submissions of learned Senior Advocate the representation has not been decided in accordance with law and the petitioners, who have more marks, must not be left out. Even though 133 candidates have been appointed under Article 142 of the Constitution, which in no case takes away the rights given to the petitioners under Article 14 of the Constitution of India. The vacancies were/though for the year 2004, but the candidates were selected in the year 2018 itself by the order of the Hon'ble Supreme Court. Not only that, in the year 2023 and 2024, further two candidates, namely, Dinesh Kumar and Mala have been appointed in connection with the same advertisement,



therefore, the selection process cannot be said to come to an end.

14. The order passed by the Hon'ble Supreme Court especially dated 14.09.2017 passed in Civil Appeal No (s). 2795-2797 of 2017 directing the Registry not to entertain any petition/application, either impleadment or reopening or review in respect of the selection of Sub-Inspectors for the year 2004, without express permission from this Court shall only be confined to the applicants of the said case and cannot be applicable to the petitioners, who were not the parties. Moreover, it is clearly observed that the Registry shall not entertain only a petition/application either to impleadment or reopening or review, there is no bar for other candidates to approach the Court, if a fresh cause of action would arise.

15. Mr. Abhinav Srivastava, learned Senior Advocate reiterating the aforesaid submissions further added that admittedly the petitioners are bona fide candidates and their bona fide is well reflected by the marks, which they secured, are more than the cut off marks of 133 candidates and their appointment cannot be denied only on the basis that 133 candidates have been appointed in pursuant to the order of the Hon'ble Supreme Court passed under Article 142 of the Constitution of India. Article 142 of the Constitution of India



does not say that the fundamental rights are forgone, as some of the persons are appointed in a special facts and circumstances.

16. Undoubtedly, the order of the Hon'ble Supreme Court directing for appointment of 133 candidates says that it cannot be treated as precedent, yet in any incidence it does not take away the right rendered to the citizen of India under Article 14 and 16 of the Constitution of India. Non-consideration of the claim of the petitioners, despite their higher marks than other candidates is in complete derogation to Article 14 of the Constitution of India.

17. The order of the learned Single Judge has taken note of all other aspect of the matter and rightly observed that the appointment of the person with lesser merit ignoring those who have secured higher marks is in violation of Articles 14 and 16 of the Constitution of India, which prohibits discrimination and inequality of opportunity to citizens in the matter relating to employment or appointment to any office under the State.

18. It is lastly contended that the selection stood completed is fallacious, as the same belied by the Commission, who have recently recommended the name of two of the persons, noted hereinabove. All the more, the order passed by the Hon'ble Apex Court in other cases would not come in the



way of the petitioners.

19. Mr. D K Sinha, learned Senior Advocate has primarily adopted the submissions led by the other Senior Counsel and further advanced his submissions that the L.P.A. No. 1022 of 2025 has not been filed by the State, but by the Commission, which is only a recruiting agency, authorized to ensure the recruitment. It is further contended with all vehemence that the writ petitioners in their representations specifically stated about obtaining higher marks than several selected/appointed candidates and hence, preferred writ petitions, as fresh cause of action arose in their favour, after rejection of their representation by the State authorities. Thus, non-consideration of the claim of the writ petitioners for their appointment, despite admitting the factum of their higher marks to the other candidates is in the teeth of the mandate of Article 14 of the Constitution of India. Accordingly, the order passed by the learned Single Judge does not require any interference, wherein the learned Court directed the respondents to give appointment to the petitioners against the vacancies at the earliest for the post of Sub-Inspector of Police.

20. This Court has given patience hearing to all the learned Senior Advocates appearing on behalf of the respective



parties and also anxiously perused the materials available on record as well as the impugned order passed by the learned Single Judge.

21. The facts are not in dispute that the advertisement was published long back in the year 2004 by the Commission for appointment of 1510 post of Sub-Inspector of Police. The writ petitioners were allowed to participate and the result was declared on 30.05.2008. The model question and answer sheets were re-scrutinized; consequently 160 originally selected candidates were required to be removed but the State Government took a decision to retain 160 originally selected candidates and in order to accommodate them, 639 vacancies were added to maintain the roster. Further it was noticed that requisition for appointment on 299 posts of Sub-Inspector of Police have been received to the Commission and in pursuant to the direction of the Hon'ble Supreme Court to hold fresh examination for 299 posts of Sub-Inspector of Police amongst the candidates, who were the writ petitioners before this Court. Subsequently, the Hon'ble Supreme Court by order dated 28.11.2011, considering the various applications, permitted all the applicants, who were similarly situated to appear in the examination for filling up 299 posts of Sub-Inspector of Police



vide Advertisement No. 704 of 2004.

22. This Court also took notice that in pursuant to further direction in case of ***Rajeev Kumar & Ors.*** (supra), 67 candidates belonging to most backward category were also appointed and again the Government of Bihar in order to retain those candidates, who were to be displaced outside, appointed 186 more candidates. In the aforesaid facts and circumstances, the candidates were appointed in pursuant to the direction of the Hon'ble High Court as well as Hon'ble Supreme Court. However, at no point of time, the writ petitioners have raised any grievance that any candidate, having lesser marks than them, have been appointed and for the first time they knocked the door of the Court, when the Hon'ble Apex Court in Civil Appeal No (s). 2795-2797 of 2017 and other connected appeals vide order dated 14.09.2017 directed to appoint 133 candidates and when such order has not been complied, the aggrieved candidates approached before the Hon'ble Supreme Court by filing a contempt petition and finally, appointment letters were issued in favour of 133 candidates. The writ petitioners approached this Court by filing different writ petitions, which came to be rejected by the learned Single Judge as well as by the learned Division Bench in different letters patent appeal, which



have been questioned before the Apex Court in S.L.P. (C) No.- 8932-8940 of 2020 as well as in S.L.P. (C) No. 39051 of 2019.

23. Before coming to the orders passed by the Apex Court, the facts which is apparent from the aforementioned case is, that despite the writ petitioners having secured higher marks than those 133 candidates, their claims have not been considered. When this Court put a query to the learned Senior Advocates for the respondents that as to how they are making submissions that the case of the writ petitioners are independent to those of 133 candidates, at the inception they have stated that the petitioners have secured higher marks than other candidates besides 133 candidates, but failed to give any such example.

24. This Court has also gone through the writ petitions filed by the petitioners, but there is no such averment in this regard that they have secured higher marks than any other candidates, except 133 candidates, whose appointments were made in compliance with the order dated 14.09.2017 passed by the Hon'ble Supreme Court.

25. Hence, this Court is of the opinion that the case of the petitioner is based on parity with those of 133 candidates, who have been appointed by the order of the Hon'ble Supreme Court while exercising the power under Article 142 of the



Constitution of India for the ends of justice.

26. Before moving ahead, it would be relevant to take note of the order dated 14.09.2017 passed in Civil Appeal No (S). 2795-2797 of 2017, which reads as follows:-

“13. We also make it clear that this Judgment is passed in the peculiar facts of these cases, for doing complete justice and, therefore, it may not be treated as a precedent.

14. In view of the above, nothing survives in the contempt petitions, being Contempt Petition Nos. 377-369 of 2016 in Civil Appeal Nos. 2795-2797 of 2017, which are, accordingly, dismissed.

15. We direct the Registry that it shall not entertain any petition/application, either impleadment or reopening or review in respect of the selection of Sub-Inspectors for the year 2004 without express permission from this Court.”

27. The Hon’ble Supreme Court further vide its order dated 24.10.2018 in Contempt Petition No. 1711 of 2018 has further directed as follows:-

“.....This Court having carved out and classified 133 candidates into a specific category and placed them along with 186 candidates, there cannot be any other procedure than the medical examination. Therefore, to remove any doubt on this aspect, we make it clear that the only remaining process to be undergone by the 133 candidates is the process to which the 186 candidates were



subjected to. The State and the Selection Commission are directed to complete the process positively on or before 1-11-2018 and issue the appointment orders subject, of course, to candidates passing the medical fitness test. We make it clear that this order and all the earlier orders regarding the selection and appointment of the 133 candidates are passed in the peculiar background of the litigation starting from the advertisement in the year 2004 and several rounds of litigations during the past fourteen years, in exercise of our jurisdiction under Article 142 of the Constitution of India and the same shall not be treated as a precedent.”

28. After careful perusal of the above referred orders, undisputedly the selection and appointment of 133 candidates were directed to be made in peculiar background of litigation in exercise of jurisdiction under Article 142 of the Constitution of India and the same shall not be treated as precedent. When the identical issue, comprising the claim of the petitioners based on parity with 133 candidates, duly appointed in pursuant to the order of the Hon’ble Supreme Court in connection with the Advertisement No. 704 of 2004 was raised before the Apex Court in Writ Petition (C) No. 227 of 2019 and other analogous cases. A Three Judge Bench of the Hon’ble Supreme Court vide its judgment dated 11.06.2020, ***Nirbhay Kumar & Ors. -Vrs.- State of Bihar & Ors., (2020) 17 SCC 294*** has refused to accept



the claim of the petitioners on the reasons assigned
hereinbelow:-

“18. The petitioners are claiming that they should be extended the same benefit of not being subjected to physical test as the exemption was granted with regard to 133 candidates. There is more than one reason for not accepting the claim of the petitioner. Firstly, there has been specific order with regard to 133 candidates for not subjecting them to the physical test and directing their appointment without physical test which this Court had categorically held to be not treated as a precedent. The order when specifically held that it may not be treated as a precedent, no benefit can be claimed of the said order by the writ petitioner in the present writ petitions especially when otherwise the writ petitioners are not able to satisfy this Court that when they have either not undertaken the physical test or failed in the physical test, why they should be given appointment as Sub-Inspector of Police at this stage.

20. This Court has further passed an order on 1-11-2018. It is also relevant to notice that several candidates some of which are the petitioners before us, have also filed the impleadment application in Contempt Petition No. 1711 of 2018 in CA No. 2805 of 2017, which application was rejected on 1-11-2018 and in the order dated 1-11-2018, it had although been observed that the applicants are free to make representation appealing to the good conscience of the State of Bihar and the State of Bihar is



free to consider the same but in the event if the representation is rejected, it shall not give rise to any proceeding/appeal in any of the courts. The following observations are made in this regard:

“4. Mr S. Nagamuthu, learned Senior Counsel, and other counsel appearing for some of the intervenors/applicants, pray for the same relief which is granted to 133 candidates.

5. The said applicants are free to make representations appealing to the good conscience of the State of Bihar. The State of Bihar is free to consider the same and pass appropriate orders in accordance with law. In case such representations are made by the intervenors/applicants within one month from today, appropriate orders may be passed by the State on those representations within three months thereafter.

6. However, we make it clear that even if their representations are rejected, it will not give rise to any proceedings/appeal in any of the courts.”

29. The Hon’ble Court while dismissing the Writ Petition (C) No. 227 of 2019 along with other analogous cases took note of the order dated 01.11.2018 passed in the case of ***Arvind Kumar & Ors. Vs. Amir Subhani & Ors., 2018 SCC OnLine SC 3576*** that in the event, the State of Bihar does not accede to the representation of the applicants claiming similar relief to 133 candidates that shall not give rise to any proceeding in any of the Courts. As the Court persuaded to grant the said



relief in these proceedings under Article 32 of the Constitution.

30. Once this Court comes to the conclusion that the writ petition was filed with the sole point for consideration by granting parity with 133 candidates, who have been allowed to undergo medical test by the Hon'ble Supreme Court while exercising the power under Article 142 of the Constitution of India by making it clear that it shall not be treated as precedent and subsequently, in order to give quietus to all the litigation and bring the selection process to an end, which was started way back in the year 2004, made it clear in case of **Arvind Kumar & Ors.** (supra) that even if their representations are rejected, it will not give rise to any proceeding/appeal, in any of the Courts and further in the case of **Chandra Gupta Kumar & Ors.** (supra), Civil Appeal No (S). 2795-2797 of 2017, even directed the Registry that it shall not entertain any petition/application, either impleadment or reopening or review in respect of the selection of Sub-Inspectors for the year 2004 without express permission from this Court.

31. In view of the discussion, above noted, any order passed by the learned Single Judge directing the respondents to give appointment to the petitioners against the vacancies at the earliest for the post of Sub-Inspector of Police under the same



advertisement, in the opinion of this Court is in the teeth of the mandate of the Apex Court and accordingly, cannot sustain in the eyes of law.

32. The writ petitioners, in no circumstances, can seek parity with those of 133 candidates, who were appointed in a special circumstances by the order of the Apex Court, with clear mandate to bring closure of the selection process, started way back in the year 2004. Nonetheless, the learned Single Judge having accepted the contention of the writ petitioners on the ground of equity that the petitioners are entitled to get appointment, as they have secured more marks than 133 candidates and directed for their appointment, in our opinion is contrary to the mandate of the Apex Court rendered hereinabove.

33. Besides the fact, the petitioner would have no further right to agitate their claim before any Court and the issue now stands closed that the selection process having been completed long time back. The claim of the writ petitioners that the selection process has yet not completed, in view of the fact that one *Dinesh Kumar* and *Mala*, who have been duly appointed in the year 2023 and 2024 respectively, does not come in rescue of the petitioners, in view of the clarification made by



the learned Advocates for the State as well as the Commission that their appointments were made on account of reasons disclosed and the directions made in the pending litigation.

34. This Court is also conscious of the fact that when the challenge of the writ petitioners to the order of the learned Single Judge and the learned Division Bench failed before the Hon'ble Supreme Court and the writ petitioners faced with such situation took only a liberty to pursue their representation pending before the State; once the same has been negated, no fresh cause of action would arise till the earlier order of the Hon'ble High Court holds the field and stand in their way, as the rejection of the representation has to be seen in continuity with the original order.

35. So far the contention of the learned Senior Advocate that in the batch of the Letters Patent Appeal one of the appeal has been preferred by the Commission and not by the State, hence it is not maintainable, does not find any merit, in view of the fact that once the Commission being a recruiting agency is entrusted to have a fair recruitment process and further to make recommendation of eligible candidates; any order or action which will impair and nullify such process or may result in illegal appointment *de hors* rule, we do not find any wrong in



the challenge led by the Commission. Moreover, in the case at hand, it is not the fact that the State is not a party rather the State and its authorities were also the parties.

36. In view of the legal position and the facts disclosed, this Court finds substance in the present batch of the letters patent appeals and the same stands allowed.

37. Accordingly, the impugned order passed by the learned Single Judge is, hereby, set-aside.

38. However, there shall be no order as to cost.

(Harish Kumar, J)

Sangam Kumar Sahoo, CJ : I agree.

shivank/-

(Sangam Kumar Sahoo, CJ)

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