

	Sch. III - 5)	(24)
Senal No of Order	Date of Order	ORDER WITH SIGNATURE (if any) taken on order.
6	j. a	In the High Court of Judicature at Patna  LPA No. 211 of 2002  Anil Kumar Misra  Appellant
· * * * * * * * * * * * * * * * * * * *		The State of Bihar & others Respondents.
* * 1 1 100		For the Petitioner : Dr S.N.Jha, Sr.Advocate Mr Shiya Ram Shahi, Advocate
٤	enesti e	For the BPSC : Mr D.K.Sinha, Sr Advocate Mr Anil Kumar Singh No.1, Advoca
a Nachrey Acas	, i	For the Patna High Court: Mr R.K.Datta,  Mr Purnandu Singh, Advocaes
		For the State Mr. S. K. Ghosh, Add. A.G.
3 3	allo.	a Piter All garnes Alaman no a statut
15.	15.4.2004	Heard learned counsel for the appellant, learned
adií	*	counsel for the State and learned counsel appearing for
. # f.s		the intervenors.
)C. 10.		This Letters Patent Appeal has been preferred by
T Shows		the person who was intervenor in the writ petition filed
e o No., n	1.46	by respondent no.6 which was a lowed by the order under
19		appeal. The writ petition was allowed on the basis of
F 19 5 11	52. 10. 1	admitted vacancies in the post of Munsifs in the Bihar
35 N Y		Judicial Service which remained with the State of Bihar
		after coming into force of Bihar Reorganisation Act 2000
	-	with effect from 15.11.2000. Those vacancies were
2000	Ac. () 1 2 2 4 6 2	required to be filled up by the successful candidates of
(W)		25th Judicial Service Examination for which advertisemen
		had been issued on 18.9.1999. The writ petitioner was
7 . 1. 2		granted relief on the basis of Rule 20 of the Recruitmen
ggg uti jiw		Rules which provides for dereservation of posts reserved
•		for Scheduled Castes and Scheduled Tribes candidates in
9.0		case adequate number of candidates belonging to those
	165	

categories are not found suitable for appointment.

The State of Bihar did not oppose the prayer of the

writ petitioner and hence because of his position at

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		to action
	3	Office notes as to action
H. C. Sch. III - 5)	ORDER WITH SIGNATURE	(if any) taken on order.
Serial Date 1: Order	ORDER WITH	
No. of Order		of successful general
Older	at serial no.82 in the list of	hittoner was found
15. contd.	-3103169	1 - LOT VELLOS
	at serial no.82 in the list of category candidates the writ	imed. The integry
7.16. 11 G	for the road	Take general
	placed below 114th candidate and hence their opposition	the writ petition was
goth Indian.	thair opposi	1.97
	found to be without any men	illant and other intervenors
90	found to be without appe	illant and other
	on behalf of the appe	since the result of the
10 × 8	- submitted the	nublished of
	it has been submitted that	mination was published in a state of Bihar isation of the State of Bihar is a state of
	1 25th Judicial Teorgan	isation of the
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1 ma	with our who were rec	commended for appointment against es then existing should be after those vacancies got reduced after those vacancies which was
	intervendis	es then existing
nocaria	1 -	annel of the second of the sec
4 (1943 Tell 18-	given appointment even	after those vacancies got reduced after those vacancies got reduced of the State of Bihar which was hey also claimed that equity was appointment by
3	reorganisation	alsimed that equity was
*	due to zent. The event.	hey also claimed that equity was hey also claimed that equity was hey should be given appointment by
100 July 100 100 100 100 100 100 100 100 100 10	a subsequent	ey should be given may have ariser
	in their favour and	hey also claimed that hey should be given appointment by ley should be given appointment by ainst vacancies that may have arisen the relevant
4	- date.	1 11 1116 -
	at a later date.	under appear and it has
	In the Judgmen	properly considered and
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	been found t	hat account vested right. In c
ا فالناء بدر ا	right!	hat according to settled law hat according to settled law t confer any vested right. In the t confer any vested right. In the there was no scope to grant relief to there was no scope to grant relief to there was no scope to invoking the the appellant by invoking the the appellant by invoking the
2 // vest	empanelment does	here was no scope to grand the here was no scope to grand the appellant by invoking the has the appellant by invoking the has the appointment ty and to order for their appointment ty and to order for their appointment.
Sew delication	facts of the case	the appellant by Incommen
	the intervenors suc	order for their appoint
	the sales of equi	ty and to los not available
3 31	principle	the as the appellant by Inches appointment to and to order for their appointment to and to order for their appointment ancies which were not available were not available sof 25th Judicial Service Examination of 25th Judicial Service Examination of 25th Judicial Service as to give
Mar was a surviv	against later va	s of 25th Judicial Services of 25th Judicial Services furth are to be filled up by holding furth are to be filled up by ho
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1	meh vacancies ha	ive to as to give
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C. Sch. III - 5) No of ORDER WITH SIGNATURE Date of Order Office notes as to action Order (if any) taken on order. 15. contd. opportunity to others also who are now eligible to take the next Examination. In the result, this Court finds no merit in this appeal and the same is accordingly dismissed. shall be no order as to costs. Sd/- Maxayan Roy 7. sell-Shiva Kisti Singhit.

SERTIFIED TO BE TRUE PHOTO COFT

For John Register (27-4-2004)
Authorised U/S 76 Act 1 of 1877

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