

IN THE HIGH COURT OF JUDICATURE AT PATNA
CWJC No.1527 of 2001
ARJUN PRASAD
Versus
THE STATE OF BIHAR & ORS

3. 29.08.2008 Heard the learned Counsel for the petitioner and the learned Counsel for the State.

The claim is to be considered for appointment on the post of Plumber in pursuance of his name having been sponsored by the Employment Exchange on 24.6.1985. It is submitted that persons whose names were recommended at the same time have been appointed till 1993-94.

The writ application has been filed in January 2001. Whether the relevant date be 1985 or 1993-94 for the cause of action, there is inordinate unexplained delay in pursuing the writ application. Filing of representation, as settled law, is no explanation.

In any event calling for names from the Employment Exchange for purpose of appointment is one of the modes of appointment, the Courts have regularly held that it is not the most correct and most desirable method of appointment and it is not a substitute of appointment made on open selection and comparative merit. There is no merit in this writ application. It is accordingly rejected.

In the event that the petitioner applies in pursuance of any fresh advertisement quite naturally his case is required to be considered in accordance with law.

Snkumar/-

(Navin Sinha,J.)

