

1/7.3.1996

Hon'ble Mr. K.D.Saha, Member (A)

Heard the learned counsel for the applicant Shri Ganesh Prasad Singh. By this application, the applicant prays for issue of direction to the respondents to send proposal of appointment of the applicant by promotion to the cadre of I.P.S. (Bihar Cadre) by virtue of his name being in the approved select list of 1995, and for this purpose, it is further prayed that if need be, it be declared that the extension of service granted to Respondent No.6 Shri Balmiki Sharan Sharma as at Annexure-3 dated 31.12.1995 is invalid. There is prayer for interim relief that the respondents be restrained from holding the meeting of the Selection Committee of 1996 for appointment of officers of Bihar Police Service to the cadre of I.P.S. (Bihar Cadre) till the proposal for appointment by promotion of the applicant in the cadre of I.P.S., Bihar Cadre, is sent by the State of Bihar to the Ministry of Home Affairs.

2. It is submitted that the applicant is the 5th candidate in the Select List, as approved, pursuant to the meeting of the Selection Committee for the year 1995 for promotion/appointment to the cadre of I.P.S., and proposals for appointment of four officers senior to him in the panel, as aforesaid, have already been sent to the Ministry of Home Affairs. The learned counsel for the applicant submits that extension of service as given to the respondent No.6 by order as at Annexure-3

Requisites filed  
on 1/3/96  
by

dated 31.12.1995 has been given in an irregular manner without regard to the relevant rules, and the order should be treated as invalid and the applicant given appointment on the basis of his position in the select list for appointment to the cadre of I.P.S., prepared, pursuant to the meeting of the select committee held on 28/29 March, 1995.

3. This is a Division Bench Matter. No Division Bench is available at present. Considering the submissions and the urgency of the matter, I hereby direct that notices be issued to the respondents for admission/interim orders. ~~XX~~ Let the case be listed on 19.3.1996 for admission and interim order, before which date the Respondent No.6 shall file reply. A copy of the application has been served on the learned counsel for the State of Bihar Shri B.N.Yadav. Let copy of the order be handed over to the learned counsel for the parties.

( K. D. Saha )  
Member (A)

7.3.96

2/19.03.96

Counsel for the applicant : Shri Ganesh Pd. Singh  
Counsel for the respondent : Shri B.N.Yadav  
-State of Bihar.

Heard Shri Ganesh Pd.Singh, learned counsel for the applicant on the question of admission. Reply of the respondents has not been filed so far. Mr. B.N.Yadav, learned counsel for the State of Bihar-Respondent, submits that the reply is ready and it will be filed within a couple of days. List this case for hearing on admission on 22nd March, 1996.

2. Learned counsel for the applicant brought to my notice that a M.A. has been filed by him regarding

....Contd/

Received C.C. by  
Hon'ble Mr. A. K. Singh  
Mr. M.K. Rai Adv.  
12-3-96

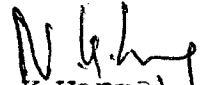
Notice Issued  
on 18/3/96  
J.K.

MPS.

amendment in the O.A. The M.A. may be listed alongwith the O.A. 143/96.

3. Mrs. Indu Bala Jha, brief holder for Shri R.C.Jha, has also filed a M.A. form being included as an intervenor in the O.A. 143/96. That M.A. may also be listed alongwith O.A. 143/96 on 22nd March, 1996.

SKJ

  
(N.K.Verma)  
Member (A)

(M.A.: 120/96)

3/30.04.96

Counsel for the applicant : Shri A.P.Sinha.

At the request of learned counsel for the applicant, case be adjourned to 02.05.1996 for hearing on M.A. 120/96.

SKJ

  
(N.K.Verma)  
Member (A)

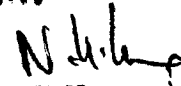
4/02.05.96

(M.A.: 120/96)

Counsel for the applicant : Shri A.P.Sinha.

Counsel for the State of Bihar - respondents : Shri B.N.Yadav.

With consent of the parties, the case is adjourned to 10.05.1996 for hearing on M.A.

  
(N.K.Verma)  
Member (A)

SKJ

5/10.5.1996

Counsel for the applicant : Mr.S.N.Jha

Counsel for the State of Bihar : Mr. B.N.Yadav.

In this M.A., the applicant has prayed for grant of stay orders regarding the meeting of the Selection Committee and also to have the O.A. transferred to the Delhi Bench of the Tribunal where a Division Bench is available. After certain arguments the learned counsel for the applicant Mr. Jha prayed that this matter may be adjourned for arguments on 16th of May, 1996.

O.A.: 143/96

Prayer granted. Let this case be listed  
on 16th of May, 1996.

MPS.

*N.K. Verma*  
( N.K. Verma )  
Member (A)

M.A: 120/96

6/17.05.96

Counsel for the applicant : Shri S.Kumar.

Counsel for the respondents : Shri B.N.Yadav.  
-State of Bihar.

Shri S.Kumar, counsel for the applicant prays  
for adjournment for 10 days. It is a Division Bench  
matter which was listed as un urgent case for admission.  
In this case, number of adjournments have been prayed  
on previous occasions. Naturally, there is no  
urgency in the matter. Shri B.N.Yadav, learned counsel  
for the respondents, states that the W/s in the matter  
has already been filed a copy of which was served on  
the learned counsel for the applicant.

Let the matter be placed before the appropriate  
Division Bench as and when the same is available.

*N.K. Verma*  
(N.K. Verma)  
Member (A)

SKJ

*may be listed  
on 28.5.96  
for direction  
in the matter of Shri K. Verma  
27/5/96*

OA - 143/96

7./ 28.5.96.

Counsel for the applicant : Shri M.K. Rai.

Shri M.K. Rai, the learned counsel for the applicant makes prayer that since Division Bench is not available to adjudicate the matter, he may be permitted to withdraw the application with permission to file the same with the Principal Bench if the Hon'ble Chairman permits. The case is dismissed as withdrawn.

/CBS/



(N.K. Verma)

Member (A)