

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4166 of 2015

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1. Kumari Nutan D/o Bindeshwari Pal, R/O of Vill- Rajpur, P.O. & P.S. - Sabour, District- Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home (Police) Department, Govt. of Bihar, Patna.
2. Director General of Police , Bihar, Patna.
3. Chairman, Central constables Selection Board, Shri Sai Tara Complex, I.A.S., Colony, Jawahar Lal Nehru Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ram Yash Singh
For the Respondent/s : Mr. Sheo Shankar Prasad- Sc10
For the C.S.B.C. : Mr. P. N. Shahi, Sr. Advocate
Mr. Sanjay Pandey &
Mr. Binod Kumar Mishra.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

3 27-04-2015 The petitioner is paying price for her own mistake or mis-declaration with regard to her date of birth in the application form filled in her own hand and signature.

The petitioner was applicant for the post of Constable as per advertisement no. 1/12. She went through process of selection but finally before her appointment when her certificates etc. were verified, a mis-match by way of declaration as to her date of birth was noticed. The date of birth in the matriculation certificate of the petitioner is 02.03.1990. However, in the application form the petitioner has given that date as

05.01.1990.



The application form clearly indicates that a truthful declaration has to be made by every candidate with regard to the details which have been furnished against the various columns and mis-declaration or non-declaration can lead to cancellation. What was weighing in the mind of the petitioner who is a literate candidate to declare her date of birth as 05.01.1990 instead of the actual date of birth according to the matriculation certificate is for her to know. There is no obligation for this Court as to investigate as to why she made a wrong declaration as to the date of birth.

It may look like a minor omission on the part of the petitioner but these days the date of birth has many significance even in the race for such appointments, especially when in case of ties the date of birth becomes a decisive factor as to who would get appointment and who not. In addition to that learned Senior Counsel representing the Central Selection Board for Constables informs the Court that the final process of selection and appointment is over as far back as on 31.05.2013 and, in fact, the next advertisement for selection has already been issued in the year 2014. The explanation offered by the petitioner that she was awaiting communication from the respondents as well as answer

to the information sought under R.T.I. is only a ground to cover the lost time. Since selection process has already been over, the Court cannot extend the time by offering appointment to her especially when rejection of her claim is attributable to her and not to the respondents.

This writ application is, thus, dismissed.

(Ajay Kumar Tripathi, J)

Amin/-

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