

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2021 of 2015

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Lalu Singh S/o Sri Budhu Singh R/o Village Sekhpura, P.O. Saduri Karma, P.S. Nadari Kala (Khurd), District -Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Old Secretariat, Bihar, Patna.
2. D.G.P., Bihar, Patna.
3. The Chairman, Central Selection Board Constable, Bihar, Patna.
4. Secretary, Home (Jail) Department, Bihar, Patna.
5. Joint Secretary-cum-Director (Pra), Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Bahadur Singh
Mr. Raj Kishor Prasad
For the State : Mr. AAG14- K.K. JHA
For the C.S.B.C. : Mr. Sanjay Pandey
Mr. B K Mishra

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 25-03-2015

A K Tripathi, J. Petitioner, who was an applicant for appointment on the post of a Compounder/Dresser, was not appointed by the respondents. He made a grievance against such a decision by filing writ application alleging many a things.

2. Petitioner's candidature has been considered on the basis of his declaration. When he filed his application claiming himself to be an OBC, he did not furnish necessary materials which could compel the respondents to accept and extend the benefit of reservation to him. It is also the stand of the respondents that all such candidates who did not complete or their application had certain infirmities had been extended time to remove the same but finally when nothing came to be done by the deadline, the results have been declared.

3. The stand of the petitioner that he did indicate that he was an OBC candidate and his right for reservation and consideration under the said category, is not a matter of dispute but there is no mechanism by which the appointing authority can accept such a declaration without the supporting documents, which include caste certificate to be issued by the competent authority in this regard.

4. Similar matter was a subject-matter of adjudication before this Court and similar kind of arguments were also made in that matter as well. A Division Bench in the case of **Vandana Govindam Vs State of Bihar and others, 2011 (2) PLJR 585**, went into the issue and rejected the claim of the said petitioner for the rationale and reasoning provided therein.

5. This Court does not have to add enough more over and above the reasoning given by the Division Bench except that there is a rationale as well as reasoning why other candidate has an obligation to abide by the direction issued in the advertisement because chance of mis-declaration in these days is not an unheard of exercise which many a candidates at time to resort.

6. For the reasons as above, no direction in favour of the petitioner is required to be issued. Writ application is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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