

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 11582 of 2008

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Indramani Prasad Yadav son of late Narayan Yadav resident of village
Murachak, P.O. Tankuppa P.S. Wazirganj District Gaya.

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar,
Patna.
2. The D.G. cum I.G. of Police, Bihar, Patna.
3. The Zonal I.G., Bhagalpur Zone, Bhagalpur.
4. The D.I.G. of Police, Munger Range, Munger.
5. The S.P., Sheikhpura.
6. The Commandant, B.M.P.-14, Patna cum Chairman, Constable
Selection Committee, Munger Board, Munger.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Teg Bahadur Singh
Mrs. Nirmala Kumari
Mr. Purnendu Nr.Singh

For the Respondent/s : AC to Govt. Advocate - 2

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 31-08-2015 Heard learned counsel for the petitioner and learned
A.C. to Govt. Advocate – 2.

The petitioner, invoking writ jurisdiction of this Court
under Article 226 of the Constitution of India, has made a prayer
for directing the respondents to appoint him as Constable in
Munger range, Sheikhpura District.

It has been pleaded that though the petitioner was
selected in physical test, at the time of joining, his joining was not
accepted on the plea that his photograph was not tallying with the
photograph affixed on the application form.

Learned counsel for the petitioner submits that unnecessary after being selected, on frivolous ground, the petitioner has been denied appointment and the person, having lesser marks than the petitioner, has been accommodated.

In this case, a counter affidavit has been filed on behalf of respondent no. 6 i.e. Commandant, B.M.P.-14, Patna-cum-Chairman, Constable Selection Committee, Munger and in paragraph 3, it has been stated that before appointment, Superintendent of Police Sheikhpura verified all documents of the petitioner and found that photograph, which was affixed with the application form of the petitioner not the same as produced by him on 29.01.2008 during selection process. It has further been indicated that since both the photographs were not of the same person, those two photographs were sent for comparing in Forensic Science Laboratory, Patna and after obtaining report from the Director, Photo Division, Criminal Investigation Department, Bihar, Patna, a criminal case, vide Sheikhpura P.S. Case No. 225 of 2008 for the offence under Sections 420, 468 & 471 of the Indian Penal Code has been registered on 13-06-2008.

Learned counsel for the State submits that since photographs were not tallying, rightly the claim of petitioner for appointment was rejected and he has been made accused in the

F.I.R.

In view of the facts and circumstances, the Court is of the opinion that there is no need to pass any positive order.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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