

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3443 of 2011

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Surendra Prasad S/O Late Triyug Ram, resident of village- Bahrampur, Post Bahrampur, Via Hazrat Sain, P.S Dhanarua, District Patna.

.... Petitioner

Versus

1. The State of Bihar
2. The Director General of Police, Home Department (Police), Bihar, Patna.
3. The Inspector General of Police, Patna, Home Department (Police) Bihar, Patna.
4. The Superintendent of Police, Patna.
5. The Deputy Inspector General of Police, Home Department (Police), Bihar, Patna.
6. The Commandant, Bihar Military Police, Patna.
7. The Secretary, Central Selection Board, Bank Harding Road, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar, Adv.

For the Respondent/s : Mr. AC to GP-11

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 30-10-2015 Heard Sri Amresh Kumar, learned counsel for the petitioner, learned AC to GP-11 as well as learned counsel, who has appeared on behalf of Respondent no.7.

The petitioner, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, has prayed for directing the Respondents to select him on the post of Constable in Bihar Military Police pursuant to advertisement no.02/2009. It has been claimed by the petitioner that the petitioner after advertisement applied and participated in the written test. He qualified in the written test. Thereafter, he faced physical test also,

however even after verification, he was not given appointment letter.

Learned counsel for the petitioner submits that once the petitioner had qualified in the written test as well as in the physical test, he was entitled to be appointed.

In this case, a counter affidavit has been filed on behalf of Respondent no.7. Learned counsel for the Respondent no.7, by way of referring to the statement made in paragraph-8 of the counter affidavit, submits that the petitioner, while filing application pursuant to advertisement, had indicated that he was in the category of Home Guard (EBC-M-HG) candidate. Thereafter, he participated in the written test and also qualified in the physical test. However, at the time of verification of documents, the petitioner failed to produce any document in support of his claim as Home Guard category and, as such, the petitioner was not finally selected. Learned counsel for the Respondent has also relied on an order dated 12.08.2011 passed by a Bench of this Court in C.W.J.C.No.3992 of 2011. He submits that in identical situation, this Court has dismissed the writ petition.

In view of facts and circumstances, particularly the fact that the petitioner himself has failed to produce his document in support of his claim, which was indicated in the application form,

there is no reason to pass any positive order in favour of the petitioner.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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