

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9031 of 2015

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Shambhu Paswan, Son of Mahendra Paswan, resident of village - Chandrayan, P.O.
- Chandrayan, P.S. - Nauhatta, District - Saharsa.

.... Petitioner

Versus

1. The State of Bihar through Director General of Police, Bihar, Patna.
2. The Deputy General (Human Rights) Bihar Patna.
3. The Chairman Central Selection Board of Constable Bihar, Patna.
4. The Deputed Centre Superintendent of Screening and Physical Evaluation test dated 27.03.2015 and 02.04.2015 at test venue Patliputra Sports Complex, Kankarbagh, Patna - 20 for the above selection.
5. The Deputed Member of Selection Committee dated 27.03.2015 at venue of Patliputra Sports Complex, Kankarbagh, Patna - 20 for the above selection at table no. 7-10.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Advocate
For the State : Mr. Kaushal Kumar Jha, A.A.G.-14
For the C.S.B.C. : Mr. Binod Kumar Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 03-11-2015

Petitioner is one of the candidates who alleges that he was prevented from participating in Physical Evaluation Test against Advertisement No. 01 of 2014, which was for appointment on the post of Constable. He also pleads that the respondents should be directed to allow him to go through the requirements of running and Physical Evaluation Test.

From the counter affidavit, it is evident that the petitioner was found using unfair means. The respondent-authorities have taken an indulgent view of not pushing the matter beyond a point since

petitioner gave an undertaking that he shall not pursue or participate in PET Examination. Due to unfair means accepted by him, he could not be permitted to participate in that exercise.

The petitioner, therefore, in the above circumstances, cannot be rewarded now by ignoring what he had accepted before the respondents with regard to unfair means which was indulged in by him and was caught, to which he confessed. No relief as such can be granted to the petitioner.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

Vats/-

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