

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10130 of 2015

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Neha Kumari, daughter of Satyadeo Mahto, wife of Binod Kumar Mahto, R/O
Village- Karpura, P.S.- Ekma, Dist- Chapra.

.... Petitioner/s

Versus

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

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Murari Mishra
For the Respondent-State:	:	Mr. D.K. PRASAD, GP7
For the C.S.B.C.	:	Mr. Sanjay Pandey
	:	Mr. Binod Kumar Mishra

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 04-11-2015

If there is a mismatch in the caste, based on the inputs and evidence provided by the petitioner before the respondent authorities then, obviously, her consideration cannot be made on two different categories or caste, since reservation has been made on the basis of the caste of a candidate.

If a person who is at least an intermediate and aspires to become a constable and may be even ASI down the line of promotion, such leeway cannot be explained away as omission or human error.

The reason for non-selection of the petitioner is because of

the above mis-declaration made by the petitioner as is the stand of the respondent authorities in the counter affidavit.

Such a decision, therefore, cannot be said to be arbitrary or mischievous.

Writ application has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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