

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10395 of 2013

=====

Md. Akbal, son of Md. Mustafa, resident of Mohalla - Saristabad, Mahavir Nagar,
New Bye Pass 70 Feet Road Patna - 2, P.O. Anisabad, P.S. Gardanibagh, Distt. -
Patna

.... Petitioner

Versus

1. The Staff Selection Commission, through its Chairman (C.R.) 8 .A.B. Bailey Road, Allahabad (U.P.)
2. The Chairman, Staff Selection Commission (G.R.) 8 A.B. Bailey Road Allahabad (U.P.)
3. The Deputy Director, Staff Selection Commission, 8 A.B. Bailey road, Allahabad U.P.
4. The Chairman S.S.B. Board Kishanganj, Bihar

.... Respondents

=====

Appearance:

For the Petitioner/s : Mr. Shankar Kumar, Adv.
For the Staff Selection Commission: Mr. Anjani Kumar Sharma, Adv.

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 05-08-2016

Heard learned counsel for the petitioner and learned
counsel for the Staff Selection Commission.

2. In the present case, the petitioner has applied for the post of Constable (G.D.) in Assam Rifle. He claimed that he belongs to OBC category, so he was allowed to participate in the examination provisionally. As the petitioner could not produce the OBC Certificate-cum-Creamy layer Certificate, he was treated to be non OBC category and declared him to be unsuccessful.

3. Learned counsel for the petitioner submits that before the Medical Board the petitioner requested for extension of time for producing the OBC Certificate. Thereafter, the petitioner produced the Caste Certificate dated 14.07.2012 and submitted that he has filed an application for issuance of OBC certificate earlier, but because the Certificate could not be issued in time he could not produce the same.

4. On perusal of the certificate (annexure-7), it appears that in the certificate no where it has been mentioned that the petitioner is outside the creamy layer or within the creamy layer. In such circumstance, this Court is of the view that there is no need to give any direction to the respondents for consideration of his case for appointment.

5. In such view of the matter, this writ application is dismissed.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	09/09/2016
Transmission Date	