

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3342 of 2013

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Gudoo Kumar S/O Umesh Sharma R/O Vill-Nimsar, P.O.-Nimsar, P.S.-
Allipur, Distt-Gaya, Bihar

.... Petitioner/s

Versus

1. The Union Of India Through The Secretary, Ministry Of Home Affairs,
Government Of India, New Delhi
2. The Regional Director, Staff Selection Commission(Central Region),
Government Of India, Allahabad
3. The Deputy Director, Staff Selection Commission (Central Region) 8
A/B, Bailey Road, Allahabad
4. The Inspector General , General , Frontier Headquarters, SSB Patna,
Rukunpura, Bailey Road, Patna
5. The Deputy Inspector General , FTR, HQR, SSB Patna, Rukunpura,
Bailey Road, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Anshuman Singh

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

8 28-03-2016 No one appears for the petitioner. Learned counsel
for the Union of India is present.

Learned counsel for the Union of India has
submitted that in view of the statement made in paragraph nos. 5
& 6 of the supplementary counter affidavit, the petitioner must
have been accommodated in the service. It will be relevant to
quote paragraph nos. 5 & 6 of the supplementary counter affidavit
which reads as follows:-

*“5. That it is humbly stated and submitted that
petitioner Gudoo Kumar Roll No.
3206535125 belongs to Candidate of*

Naxal/Militancy affected area of Bihar, whereas his result was processed in general area and he failed to find place in the list of selection due to low merit in general area.

6. *That it is further submitted that after declaration of final result on 17.10.2012, it was found that petitioner Gudoo Kumar belongs to candidate of Naxal/Militancy affected area of Bihar. Accordingly his case was forwarded to Head Quarters (Hq.Rs) of the Commission for redetermination of result in Naxal/Militancy affected area. The Commission declared Revised Result on 12.06.2014 and petitioner Gudoo Kumar has been declared qualified to the post of Constable (GD) in ITBPF with Rank No. SL/8158-A. The dossier of petitioner Gudoo Kumar has already been forwarded to the office of ITB vide this office letter no 220/SSC-CR/2012 Nom. (CT/GD) dated 25.06.2014 for issuance of offer of appointment.”*

From perusal of the above quoted two paragraphs, it is apparent that the claim of the petitioner was earlier rejected treating him candidate belonging to the General Area but when it was transpired that the petitioner is a candidate of Naxal/Militancy

affected area of Bihar, the case of the petitioner was reconsidered and was forwarded for re-determination. It gives an inference that some positive action must have been taken in favour of the petitioner and the relief sought in this writ application has already been redressed.

In such view of the matter, this writ application is dismissed, as having become infructuous.

(Shivaji Pandey, J)

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