

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11046 of 2011

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1. Raju Kumar Singh, son of Raj Kishore Singh, resident of Village-Mohan Tola, P.S. Piro, District- Arrah (Bhojpur)
 2. Sujata Kumari D/O Sri Surendra Choudhary, resident of Village Manjauli, P.S. Bidupur, Dist. Vaishali.

.... Petitioners

Versus

1. The State of Bihar
2. The Central Selection Board (Constable Recruitment), Bihar, Patna through its Secretary.
3. The Chairman of the Central Selection Board (Constable Recruitment), Bihar, Patna.
4. The Secretary of the Central Selection Board (Constable Recruitment), Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh

For the Respondent/s : Mr. A.C. to AAG-6

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

6 29-03-2016 Heard learned counsel for the petitioners, learned AC to AAG-6 as well as learned counsel, who has appeared on behalf of Respondent nos.2 to 4/ Central Selection Board (Constable Recruitment), Bihar.

Two petitioners, invoking writ jurisdiction of this Court under Article 226 of the Constitution of India, have made a prayer for directing the Respondents to consider their case for appointment on the post of constable in the District Police, Bihar Military Police and Railway Police.

The case of the petitioners is that they participated in



the selection process in respect of appointment of constable, which was advertised in the year 2009. After the petitioners qualified in the written test, result of the same was published in the Newspaper. Thereafter, petitioners were asked to participate in the physical test. It is case of the petitioners that though they had done well in the selection process, they have not been selected and a plea has been taken that final result was never published either in the newspaper or on Web Site.

In this case, a counter affidavit has been filed on behalf of Respondent no.2 and in paragraph1-17 of the counter affidavit, a specific stand has been taken that the petitioners had secured lesser marks than the last candidate selected in their respective categories. Regarding petitioner no.1, it has been stated that he was in the category of BC-M-NHG and he had secured 98 marks whereas cut off marks in his category was 110. Similarly, petitioner no.2 being in the category of BC-F-NHG had secured only 23 marks and cut off marks in her category was 37 marks. Of course, no specific reply to paragraph-18 of the writ petition has been made regarding publication of the result, but a specific stand has been taken in paragraph-16 of the counter affidavit that pursuant to the guidelines and direction given by this Court in its order dated 19.02.2011, the Board processed the final result and

published it on 10.08.2011. In the said result, both the petitioners were not shown as selected candidates. No rejoinder to this counter affidavit has been filed. Moreover, keeping in view the fact that none of the candidates having lesser marks than the petitioners in their category have been appointed, the petitioners can not claim infringement of any right and, as such, I do not find any ground to pass any positive order.

The writ petition stands dismissed.

(Rakesh Kumar, J)

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