

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10352 of 2013

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1. Atul Kumar Singh, son of Yogendra Prasad Singh, resident of Mohalla : - Ram Lila Mathian, P.O. and P.S. - Bhagwan Bazar, District - Saran
 2. Intesh Kumar, son of Rajendra Yadav, resident of Village:- Atarsan Tola Medu Chapra, P.O. - Atarsan, P.S. - Rasulpur, District - Saran
 3. Mukesh Kumar, son of Vishwanath Manjhi, resident of Village:- Mandipur, P.O. - Nandpur, P.S. - Manjhi, District - Saran
 4. Shailendra Kumar Yadav, son of Satyadeo Yadav, resident of Village - Kachnar, P.O. - Kachnar, P.S. - Siwan, District - Siwan
 5. Sushil Kumar, son of Krishna Prasad, resident of Village : - Gheghtha Ganj, P.O. - Gheghtha, P.S. - Chapra Mufassil, District - Saran
 6. Gajendra Pratap Singh, son of Jeetendra Singh, resident Of Village:- Deval Chak, P.O. - Kotwapatti Rampur, P.S. - Doriganj, District - Saran
 7. Pintu Kumar Singh, son of Prabhu Nath Singh, resident of village : - Sandha Newazi Tola, P.O. - Sandha, P.S. - Chapra Mufassil, District - Saran
 8. Ravi Ranjan, son of Awadhesh Kumar Parv, Resident Of Mohalla : - Neharu Chowk, Nandlal Tola, (Back Of Aghore Mathian), P.O. - Chapra, P.S. - Chapra Town, District - Saran
 9. Anil Kumar, son of Krishna Prasad, resident of Village : - Gheghtha Ganj, P.O. - Gheghtha, P.S. - Chapra Mufassil, District - Saran
 10. Sonu Kumar Singh, son of Kamakhya Singh, resident of Village : - Chitrauli, P.O. - Hariharpur Kanar, P.S. - Khaira, District - Saran

.... Petitioners

Versus

1. The State Of Bihar Through Chief Secretary, Government Of Bihar, Patna
2. The Director General Of Police, Bihar, Patna
3. The Central Selection Board Of Constable, Computer Bhawan, Jawaharlal Nehru Marg, Opposite Patna Golf Club, Patna - 800023, Through Its Secretary
4. The Chairman, Central Selection Board Of Constable, Computer Bhawan, Jawaharlal Nehru Marg, Opposite Patna Golf Club, Patna - 800023
5. The Secretary, Central Selection Board Of Constable , Computer Bhawan, Jawaharlal Nehru Marg, Opposite Patna Golf Club, Patna - 800023

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mahesh Parbat, Senior Adv.
For the State : Mr. Khurshid Alam, A.A.G.-12
: Mr. Arun Kumar, A.C. to A.A.G.12
For the Central Selection Board: Mr. Sanjay Pandey, Adv.
: Mr. Vivek Anand, Adv.

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

Heard learned counsel for the petitioners and learned counsel for the Central Selection Board.

2. Learned counsel for the petitioners submits that the result of written examination was published but has not been provided the break up of the exact marks which have been allotted to the petitioners, but learned counsel for the Central Selection Board has pointed out from the Counter Affidavit (Annexure- E), where number scored by the petitioners category wise, has been mentioned. He further submits that as the petitioners have secured less marks than the last selected candidate in written test in their respective categories, they were not called for physical test.

3. Learned counsel for the petitioners submitted that the petitioners have done very well in the written examination, but have wrongly been shown to have been obtained the less marks.

4. In whole of writ application, nowhere mala fide has

been alleged by the petitioners inasmuch as it does not stand to the reason why the examiner will give less marks to the petitioners.

5. Learned counsel for the petitioners submits that the petitioners want break-up of the marks scored by the petitioners as the same is not available in Annexure-A to this writ application.

6. Learned Counsel for the Central Selection Board states that altogether 8 lakhs candidates have participated in the written test and it will be very difficult to provide the break-up of the marks to the petitioners after a long lapse of time. The marks scored by the candidates must be available either in the computer or in hard-copy.

7. At this stage, learned counsel for the petitioners states that this Court may direct the respondents to dispose of the representation filed by the petitioner (Annexure-4 to this writ application). On perusal of the same, it appears that Annexure-4 is not in the shape of representation, but in a shape of question and answer. The petitioners, if so advised, may take information from the respondents under the Right to Information Act. If the petitioners file an application under the Right to Information Act, the authority concerned is directed to provide the information in accordance with law.

8. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.08.2016
Transmission Date	NA