

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20489 of 2014

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Arvind Kumar S/o Laxmi Sah resident of village - Purandaha, P.O. - Gonha, P.S. -
Triveniganj, District - Supaul.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Health, Govt. of Bihar, Patna.
3. The Bihar Combined Entrance Competitive Examination Board through its Secretary, BCECE Board, IAS Association Building, Near Patna Air Port, Patna.
4. The Examination Controller, BCECE Board, IAS Association Building, Near Patna Air Post, Patna.
5. The Principal, P.H.I., Patna.
6. The Director Public Health Institute, Patna.
7. The Additional Director (ME), Department of Health, Govt. of Bihar, Patna.
8. A.D.G.G., C.I.D., Department of Home, Government of Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner	:	Mr. Anil Kumar Jha, Sr. Advocate
		Mr. Dinesh Choudhary, Advocate
For B.C.E.C.	:	Mr. Vikas Kumar, Advocate
For the State	:	Mr. Nadeem Seraj, G.P.20

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL JUDGMENT
Date: 18-02-2016

So long as the report of the F.S.L. is not demolished by any competent authority or forum which *prima facie* establishes a case of impersonation in the examination by virtue of which the petitioner was given provisional admission, there may not be an occasion for this Court to interfere with Annexure-5 dated 10.10.2014.

The Court has carefully gone through the report of F.S.L. and it cannot be said that the two handwritings are same and

may be by the same person as is being urged at the bar by learned senior counsel for the petitioner.

The submission of the counsel that Annexure-B is of relatively recent origin and this was not provided to the petitioner which prevented him for issuing his explanation may merit consideration. Let the petitioner offer his explanation on the basis of the counter affidavit of respondent no.8 keeping in mind Annexures-A and B and if the respondents feel satisfied with the explanation, they may take a fresh decision, earlier order contained in Annexure-5 may not come in the way.

Writ application is disposed of with the indulgence given as above.

(Ajay Kumar Tripathi, J.)

Sanjay/-

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