

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.81 of 2014

In

Civil Writ Jurisdiction Case No. 10756 of 2012

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1. Vijay Kumar Pandey, Son Of Late Laxmi Narayan Pandey, Resident Of Chitrakut Nagar, Road No. 3, Danapur, P.S.- Danapur, District- Patna
 2. Sumant Kumar, Son Of Vijay Singh, Resident Of Chandrika Rai Lodge, 2nd Floor, Kathpul, Near Nag Panch Mandir, South Mandiri, P.S.- Budha Colony, District- Patna

.... Petitioners / Appellants

Versus

1. The State Of Bihar, Through The Principal Secretary Department Of General Administration, Govt. Of Bihar, Patna.
2. The Principal Secretary, Department Of General Administration, Govt. Of Bihar, Patna
3. The Chairman, Bihar Staff Selection Commission, Patna, P.O.- Veterinary College, Patna- 14
4. The Secretary Bihar Staff Selection Commission, Patna P.O.- Veterinary College, Patna- 14
5. Sanjay Kumar, Son Of Rajendra Singh Yadav, Resident Of Block Colony, Itarhi, P.S.- Itarhi, District- Buxar
6. Chandan Kumar, Son Of Shiv Narayan Sao, Resident Of Jai Nagar Lalipahari(Mushari Tola East), P.S.- Lakhisarai, District- Lakhisarai
7. Shashank Nandan, Son Of Shambhu Nath Tiwari, Resident Of West Judges Colony, Saguna, P.S. Danapur, District- Patna
8. Kanchan, Daughter Of Upendra Rana, Resident Of Guria, Bounshi, District- Banka

.... Respondents/Respondents

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Appearance :

For the Appellant/s : M/s. Dinu Kumar, Rajesh Kumar Singh,
Santosh Kumar, Manoj Kumar
Ms. Ritika Rani

For the State : Mr. Anil Kr Uapdhyay, SC 10
For Bihar Staff Selection Commission: Mr. S S Sundaram

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA
and
HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

2 30-03-2016

The present Letters Patent Appeal is directed against the
order dated 14.9.2012, whereby the learned Single Judge

dismissed the writ application filed by the present appellants.

In response to Advertisement No. 110/2010, dated 18.06.2010, the appellants applied for the Graduate Level (P.T.) Examination for recruitment on various non-gazetted posts. The eligible candidates were issued admit cards. Thereafter at the time of appearing in the examination centre, they were served OMR (Optical Mark Recognition) answer sheets containing necessary instructions. The OMR sheets received have not been produced by the petitioners. But a copy of the instructions contained in the said OMR has been produced by the counsel for the respondents in Court.

Instruction No. 7 of the OMR to the candidate is to write the prescribed text in Hindi and English for verification of handwriting on the column printed on the right side. The appellants did not fill up or write any text in the said column. Therefore, the appellants were disqualified and their candidature was rejected. The instructions were that in case any candidate does not follow the above condition, or the entries made are found to be incorrect, incomplete or fraudulent before or after the admission, the answer sheet is liable to be rejected for which the candidate will be fully responsible. It is in terms of the said condition that the candidature of the appellants has been rejected on account of

failure on the part of the appellants to fill up the text in the column for verification of handwriting.

Since the condition of writing of a text for verification of handwriting is a mandatory condition, therefore, the candidature of the appellants has rightly been rejected.

We do not find any ground for interference in the present appeal. The appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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