

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15173 of 2013

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Ram Pravesh Pandit Son Of Punit Pandit Resident Of Village Panapur Langa, P.O.
Panapur Langa, P.S. Hajipur (Sadar), District - Vaishali (Bihar)

.... Petitioner/s

Versus

1. The State Of Bihar Through Its Home Secretary, Government Of Bihar, Old Secretariat, Patna
2. The Director General Cum - Inspector General Of Police Bihar, Old Secretariat, Patna
3. The Secretary, Central Selection Board (Police Recruitment) Bank Harding Road, Patna
4. The Superintendent Of Police, Vaishali, Hajipur

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Kumar Sinha, Adv.
For the Respondent/s : Mr. S. Raza Ahmad, AAG-V
Mr. Vishwambhar Pd., AC to AAG-V
Mr. Sanjay Pandey, Adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-11-2016

Heard learned counsel for the petitioner and counsel for the Central Selection Board as also counsel for the State.

In this case, the petitioner has applied for the post of Constable under the Extremely Backward Class Home Guard (EBC-HG). The petitioner appeared in the written test, declared successful but, during physical verification, he was to bring certificate of the Home Guard and the caste certificate but, he failed to produce the testimony of his belonging to the Home Guard. On that account, the case of the petitioner was rejected.

Learned counsel for the petitioner has submitted that he



had not opted under the category of Home Guard. The document which has been annexed by the Commission is completely a tampered document as in Annexure-D shows that in the category of Home Guard some tampering has been made as "No" has been made as "Yes". The petitioner has also produced the first page of the application where the category of Home Guard is missing. On that basis he submits that he never opted for the Home Guard.

Learned counsel for the Commission has drawn attention of this Court that the document which learned counsel for the petitioner has annexed as Annexure-4 to his reply to the counter affidavit which is not a true copy of Annexure-D and the petitioner has conveniently removed certain portion of Annexure-D and it has been made plain, for example, the category has been categorized as EBC, BC and General but, the same are not available in Annexure-4. Column of Sex was also categorized into Male and Female and the same has been removed. The educational qualification was also categorized into four categories but, they have also been removed. In the Homeguard or Non-Homeguard, there was mention of Yes and No but, the same is also missing in the application contained as Annexure-4. The choice of BMP and District Police is also missing. So, in such a manner, Tampering has been made.

It is a case of tampering of the document. On the basis of

tampered document, the petitioner wants to get an order in his favour but, this Court could have passed an order of cost on the petitioner but, keeping in view that the petitioner is a young person, this Court is leaving him and simply dismiss the writ application with a warning to the petitioner not to indulge in tampering with the document in future.

This application is, accordingly, dismissed.

(Shivaji Pandey, J)

Rishi/-

AFR/NAFR	NAFR
CAV DATE	NA
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