

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No2157 of 2015

IN

Civil Writ Jurisdiction Case No 14207 of 2008

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Ravi Ranjan Kumar son of Dhruvat Thakur Resident of Village Prizor, PS Par Bigha, District Jehanabad.

.... Appellant/s

Versus

1. The State of Bihar
2. Director General of Police, Patna
3. Inspector General of Police, Patna Zone, Patna.
4. Superintendent of Police, Buxar.

.... Respondent/s

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For the Appellant/s	:	Ms Madhuri Lata, Advocate
For the Respondent/s	:	Mr Prashant Pratap, GP 6

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CORAM: HONOURABLE THE CHIEF JUSTICE

And

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 02-05-2017

Having heard learned counsel for the parties with regard to the question of admission, we find that the recruitment process in question for appointment to the Police Service was held in the year, 1998 and the petitioner's case was rejected on account of the fact that he was found to be having 162 cms and in the certificate produced by him, it was shown that he was 171.7 cms and based on various allegations of misrepresentation and fraud, his candidature was rejected. Consequently, a first information report was also lodged for prosecuting the petitioner for offences under Sections 406, 420 and 468 of Indian Penal Code and finally, the Sub Divisional Judicial Magistrate, Buxar dismissed the case on 05.12.2007. It is after



dismissal of the criminal case that the petitioner wanted reconsideration of his case for appointment and the learned Writ Court found that on the basis of the advertisement issued in the year 1998, now after the entire exercise for appointment has been carried out thereafter, the matter cannot be reopened and, on such consideration, dismissed the writ petition.

Even though the learned Senior Counsel tried to convince us that the petitioner’s case should be considered for appointment to the Police Service but we find that for a recruitment process, which was initiated in the year 1998, now with the passage of time and in the changed circumstances, the physical fitness of the petitioner and various other aspects of the matter, no substantive relief can be granted after such a long time.

Accordingly, in the peculiar facts and circumstances of the matter, we dispose of the matter.

In case the petitioner is entitled and eligible for applying for recruitment in accordance with the departmental Rule, liberty shall be available to make fresh application for consideration.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

M.E.H./-

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