

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2168 of 2016

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1. Bhola Singh, Son of Hari Ram Singh, Resident of Village- Rampur, P.S.- Harlakhi, District- Madhubani.
2. Nitish Kumar Yadav, Son of Babu Lal Yadav, Resident of Village- Chhoti Olpura, P.S.- Ghogha, District- Bhagalpur.

.... Petitioners

Versus

1. The Central Selection Board of Constable Bihar, Patna through it's Secretary.
2. The Secretary, the Central Selection Board of Constable, Bihar, Patna.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh, Adv.
For the Respondent/s : Mr. Sanjay Pandey, Adv.
Mr. Binod Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 20-12-2017 Heard learned counsel for the parties.

The petitioners pray for a direction to the respondents to appoint them on the post of Constable following a selection process conducted in pursuance of Advertisement No. 1 of 2014.

A counter affidavit is filed on behalf of the Central Selection Board and Mr. Sanjay Pandey, learned counsel, contesting the prayer of the petitioners has invited the attention of this Court to the statement made at paragraphs 15 and 16 of the counter affidavit to submit that there is a charge of impersonation against the two petitioners of having committed fraud and malpractice in the selection process, inasmuch as there has been a variance in the handwriting and signature taken in the screening



test which had led to institution of the F.I.R. against them giving rise to Gardanibagh P.S.Case No. 226/2015 registered on 22.6.2015 for offences punishable under sections 417, 419, 420 and 34 of the Indian Penal Code. It is thus submitted that since the petitioners have been found violating the conditions of the advertisement as well as declaration so made in the application form that their candidature has been rejected.

Having heard learned counsel for the parties and considering the attending circumstances, this Court is persuaded with the stand taken by the Central Selection Board as submitted by Mr. Pandey and thus is not persuaded to grant indulgence to the prayer made.

The writ petition is accordingly disposed of leaving it open for the petitioners to represent the concerned respondent authorities in the event the criminal case so instituted against them, draws in their favour.

(Jyoti Saran, J)

Surendra/-

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