

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.564 of 2017

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1. Manish Kumar, Son of Ramanand Yadav, resident of Village:- Khari, P.S.- Murliganj, District:- Madhepura.
2. Lakshman Kumar, Son of Bhupendra Prasad Mehta, resident of Village- Gokulpur, P.S. K. Nagar District- Purnea. Petitioner/s

Versus

1. The Union of India through the Secretary, Department of Home, New Delhi.
2. The Regional Director, Staff Selection Commission (Central Zone), 8/A.B. Bailey Road, Allahabad, U.P.
3. The Deputy Director, Staff Selection Commission, (Central Zone), 8/A.B. Bailey Road, Allahabad, U.P.
4. The Commandant-Cum-Chairman, Recruitment Board, Bathnaha, District- Araria, Bihar.
5. The Assistant Commandant- Cum-Member-I, Recruitment Board, Bathnaha, District- Araria, Bihar.
6. The Assistant Commandant-cum-Member-II, Recruitment Board, Bathnaha, District- Araria, Bihar.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Praful Chandra Thakur, Adv.
Mr. Pramod Mishra, Adv.

For the Respondent/s : Mr. S.D Sanjay, Addl. Soc. Gen.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 24-07-2017

Heard Mr. Praful Chandra Thakur learned counsel who appears on instructions of Mr. Pramod Mishra, learned counsel for the petitioners and Mr. Rajesh Kumar Verma, learned Central Government Counsel for the Union of India.

The two petitioners who are applicants to the selection process which took place in pursuance of the advertisement published as contained in Annexure-1, for appointment to the post of Constable in BSF, SSB, ITBPF, CRPF, CISF and Assam Rifles, make a complaint on their non selection. They seek a direction to the respondents to appoint them on the post of Constable coming under the Other



Backward Caste Category.

Although this Court vide order passed on 23.6.2017 had required the learned Central Government Counsel to seek instructions on the issue but when this matter is taken up, learned counsel for the Union of India has invited the attention of this Court to the admission of these petitioners in their representation enclosed at Annexure-6 series and in reference thereto, it is submitted that while the last person appointed, belonging to Other Backward Caste Category, had secured 61 marks, the petitioner No.1 has secured 60 marks and the petitioner No.2 has secured 54 marks. He thus submits that the admission of the petitioners as present in their representation itself explains the reason for their non appointment and which is that they were having lower marks than the last appointed candidate under the Other Backward category.

Having heard learned counsel for the parties and in consideration of the position explained in the representation of the petitioners at Annexure-6 series, I find no reason to grant indulgence to the prayer made in the writ petition which is accordingly disposed of.

Bibhash/-

(Jyoti Saran, J)

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.07.2017
Transmission Date	NA

