

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1209 of 2015

IN

Civil Writ Jurisdiction Case No. 13645 of 2007

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Pramode Kumar Singh son of Sri Ramjeet Singh, resident of Mohalla- Salimpur Ahra, Lane No.1, P.S. Gandhi Maidan, Town and District- Patna.

.... Appellant

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. Bihar Staff Selection Commission through its Secretary, P.O. Veterinary College under Shashtri Nagar, P.S. Distt.- Patna.
3. The Secretary, Bihar Staff Selection Commission PO Veterinary College under Shashtri Nagar P.S. Distt- Patna.
4. The Joint Secretary, Bihar Staff Selection Commission, P.O. Veterinary College under Shashtri Nagar P.S. Distt- Patna.
5. The Deputy Secretary, Deptt. of Personnel and Administrative Reforms, Govt. of Bihar, Patna.

.... Respondents

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Appearance:

For the Appellant/s : Mr. Dineshwar Prasad Singh, Advocate.
For the Respondent/s : Mr. Kinkar Kumar, SC 27.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 09-08-2017

Heard counsel for the appellant and counsel for the respondent.

Perused the impugned order dated 18.05.2015.

The learned Single Judge took note of the submission but came to the following conclusion:-

“In this case a counter affidavit has been filed on behalf of the respondent no. 2 to 4, wherein, it has been categorically stated that since the petitioner in support



of his candidature against O.B.C. had not submitted certificate duly issued by the Collector, as per the advertisement, the petitioner’s case was considered as general category and in respect of general category candidates the upper age limit was fixed as 35 years and since he had already crossed the age limit, his application was rightly rejected.

Considering the facts and circumstances, particularly the fact that in terms of the advertisement certificate duly issued by the Collector was not submitted by the petitioner, his case was rightly considered under the general category and since under the general category the upper age limit was 35 years, which the petitioner had already crossed, I do not find any defect in the order impugned i.e. Annexure-7.”

Since the rationale and reasoning of the learned Single Judge is in conformity with the requirement and the advertisement, the dismissal of the Writ Application was in order.

There is no merit in the appeal. It is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Dilip, AR

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