

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 13282 of 2010

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Md. Jasimuddin S/O Md. Yasin R/O Vill.- Roh, P.S.- Roh, Distt.- Nawada
..... Petitioner

Versus

1. The State of Bihar
2. The Principal Secretary, Rural Development Department Bihar, Patna
3. The Deputy Secretary, Rural Development Department Bihar, Patna
4. The District Magistrate, Nawada
5. The Sub-Divisional Officer, Nawada

..... Respondents

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Appearance :

For the Petitioner/s : Mr. Surendra Kishore Thakur
For the Respondent/s : AC to Addl. Advocate General - 9

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5. 04-05-2017 Heard Sri Surendra Kishore Thakur, learned counsel
for the petitioner and learned A.C. to Addl. Advocate General – 9.

The petitioner has approached this Court invoking its writ jurisdiction under Article 226 of the Constitution of India, with a prayer to issue writ of mandamus directing the respondents to issue appointment letter in his favour for the post of Panchayat Rojgar Sevak.

It has been claimed that petitioner had passed written examination, but no appointment letter was issued.

In this case, a counter affidavit has been filed on behalf of respondent no. 1 to 3 and in paragraph – 4 & 5 of the counter affidavit, a specific stand has been taken that the petitioner had not followed categorical instruction mentioned in the Answer-



Sheet i.e. O.M.R. – Optical Mark Reader Sheet. In the O.M.R. Sheet itself, it was indicated that failure to fill-up the said form was liable for rejection of candidature. Since, the petitioner had not written passage, as per instruction, his candidature was subsequently cancelled.

Alongwith counter affidavit, the respondent has brought on record the photocopy of the O.M.R. Sheet of petitioner, vide **Annexure – A** to the counter affidavit.

On perusal of copy of the O.M.R. Sheet, particularly page – 6, it is evident that petitioner had not filled-up passage, as per instruction and as per instruction, failure to fill-up the passage was sufficient for rejection of candidature of petitioner. No rejoinder to the counter affidavit has been filed.

Considering the fact that petitioner had not filled-up the form, as per instruction, there is no reason to pass any favourable order.

The writ petition stands dismissed.

(Rakesh Kumar, J.)

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