

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.466 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 12350 of 2015**

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Pinki Kumari, Wife of Harendra Prasad Singh, Resident of Mohalla- Kashipur,
House no. 18, Ward no. 12 with in Samastipur Municipality, Post Office + Police
Station + District- Samsatipur.

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Old Secretariat, Government of Bihar, Patna.
2. The Principal Secretary, General Administration, Government of Bihar, Patna.
3. The Joint Secretary cum Director (Administration), Department of Home, Government of Bihar, Patna.
4. Inspector General Prison (Jail and Reform), Government of Bihar, Patna.
5. The Bihar Staff Selection Commission through the Secretary, Veterinary College, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Choudhary Shyam Nandan, Advocate

For the Respondent/s : Mr. Ajeet Kumar, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 27-03-2017**

Delay in filing of the appeal is condoned.

2. Seeking exception to an order dated 22.09.2015
passed by the learned Writ Court in C.W.J.C. No. 12350 of 2015 this



appeal has been filed under Clause 10 of the Letters Patent.

3. Appellant had challenged her non-selection as a Warden in a selection process conducted by the Bihar Staff Selection Commission and after evaluating various aspects of the matter, the learned Writ Court has found that the appellant was a candidate in the General Category. She had obtained 57.58 marks in the written examination. Her merit was at Serial No. 1376 and as the total vacancies were only 236, it was held that no case is made out for any interference.

4. Even though various allegations with regard to the merit of the selection undertaken and the entire selection process was called in question by the appellant but the learned Writ Court after examining the counter affidavits and the materials available on record came to the conclusion that the appellant has not clarified various issues and in the absence of there being any cogent material to show that there is illegality in the selection process at the instance of the appellant, looking to her merit, the learned Writ Court refused to interfere into the matter. In doing so, we are of the considered view that the learned Writ Court has not committed any error. The appellant even though tried to challenge the selection process but now after the selections were held by the Commission in the year 2013-14 and without the selected candidates being before us and without



hearing them, we see no reason to go into various aspects of the matter which the learned Writ Court also did not deem it appropriate to interfere into.

5. The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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