

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6379 of 2016

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Bibhash Kumar Das, son of Munshi Das, resident of village & P.O.- Nadiyama,
P.S.- Goradih, District- Bhagalpur.

.... Petitioner/s

Versus

1. The Central Selection Board of Constable Bihar, Patna through its Secretary.
2. The Secretary, the Central Selection Board of Constable Bihar, Patna.

.... Respondent/s

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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.
		Mr. Vivek Anand Amrithesh, Adv.

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 11-05-2018

Heard Mr. Mritunjay Prasad Singh, learned counsel appearing for the petitioner and Mr. Vivek Anand Amrithesh, learned Assisting Counsel to Mr. Sanjay Pandey appearing for the Central Selection Board.

The candidature of the petitioner for appointment to the post of Constable pursuant to Advertisement No.1 of 2014 has been cancelled, inter alia, on the charge of having appeared in the examination by impersonation i.e. allowing someone else to attend the examination. The charge led to institution of criminal case arising from Gardanibagh P.S. Case No.226 of 2015.

The parties do not dispute that a large number of applicants facing similar disqualification, approached this Court in CWJC



No.9918 of 2015 but failed to persuade the learned Single Judge to grant indulgence and the writ petition was dismissed on 3.11.2015.

Mr. Vivek Anand Amritesh, learned Assisting Counsel to Mr. Sanjay Pandey, appearing for the Central Selection Board informs that another set of applicants whose writ petition arising from CWJC No.10854 of 2015 has been dismissed moved in appeal giving rise to LPA No.92 of 2016 but met the same fate as the Letters Patent Appeal was dismissed.

It is submitted that both the matters arose for disqualification on similar grounds in the selection held pursuant to Advertisement No.1 of 2014. Mr. Mritunjay Prasad Singh, learned counsel appearing for the petitioner does not dispute the position.

In view of the position noted, the writ petition is dismissed.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	NAFR
CAV DATE	NA
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