

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.1677 of 2015**

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1. Bablu Upadhyay son of Muneshwar Upadhyay, resident of village Harla, P.O. Mahuari, P.S. Souhar, District kaimur
  2. Abhishek Tiwary son of Ramesh Tiwary, resident of village ana P.O. Majhiaur, P.S. Charpokhri, District Bhojpur.
  3. Soni Kumari daughter of Shashi Ranjan Pandey, resident of village Kanpa, P.O. Sakla, P.S. Karakat, District Rohtas.

.... .... Petitioner/s

Versus

1. Chairman Punjab National Bank, Main Branch, Bhijhaji Kama Palace, New Delhi.
2. Regional Manager, Punjab National Bank,
3. Circle Head, Punjab National Bank, Circle Officer, the Regal Hotel, Ara
4. Chief Manager, Circle Office, Ara

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate  
For the Respondent/s : Mr. Kumar Priya Ranjan, (SC)  
Mr. Niraj Kumar, Advocate

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**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**

**ORAL JUDGMENT**

**Date:** 14-05-2018

Heard learned counsel for the petitioner and the respondent State.

Upon filing of the counter affidavit by the respondent Bank, counsel for the petitioner confined his relief with respect to the petitioner no. 1 namely, Bablu Upadhyay. It is contended that he belongs to reserved category i.e. a physically handicapped candidate.

The respondent Bank in the counter affidavit has dealt with the claim with reference to petitioner no. 1 in as much as in paragraph 12 they have stated that one vacancy which remained



unfilled under the physically handicapped category was decided by the HO to be filled up on merit from the locomotor disabled cerebral palsy category candidate who appeared in the process having higher rank in the merit list. It is not the petitioner’s case that he is suffering from cerebral palsy and no rejoinder has been filed controverting the stand of respondents.

In view of such stand taken by the respondent Bank in the counter affidavit, this Court does not find any reason to exercise jurisdiction under Article 226 of the Constitution in favour of the petitioner.

The writ petition is devoid of any merit and is dismissed.

**(Madhuresh Prasad, J)**

Prakash/-

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