

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3598 of 2016

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1. Sohendr Kumar Son of Awadhesh Paswan, Resident of Village - Ratanpura, P.O. - Bharthauli, P.S. - Barun, District - Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Secretary, General Administration Department, Secretariate, Bihar Patna.
3. The Director General of Police, Bihar, Patna.
4. The Chairman of Kendriya Chayan Parshad (Sipahi Bharti), Sri Sai Tara Complex, I.A.S. Colony, Jawaharlal Nehru Marg, Patna.
5. The Secretary of Kendriya Chayan Parshad (Sipahi Bharti), Sri Sai Tara Complex, I.A.S. Colony, Jawaharlal Nehru Marg, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Adv.

For the Respondent/s : Mr. Nadeem Seraj- GP20

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 05-02-2018 Heard learned counsel for the parties.

The petitioner prays for issuance of a writ in the nature of mandamus to command the respondent to issue appointment letter to the petitioner on the post of Constable pursuant to a selection process initiated in the year 2012.

Having heard learned counsel for the parties and having perused the records, I am not persuaded to grant indulgence on the grounds namely;

- (a) That the petitioner has awoken from deep slumber to raise issue of appointment after 4 years of the process so initiated; and



(b) The reasons for his non appointment is explained in paragraph 14 of the counter affidavit filed by the Central Selection Board and has gone uncontested. It is explained that since there was a tie of the petitioner with the last selected candidate on 138 marks in Scheduled Caste- Male- Non Home Guard category that according to the stipulation present in the advertisement the person senior in age was to be preferred. Since the petitioner was younger to the tied candidate, he lost the contest.

The circumstances taking note of, does not persuade this Court to grant indulgence or interfere with the decision.

The writ petition is disposed of.

(Jyoti Saran, J)

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