

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15865 of 2011

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SONY KUMARI D/O RAMASHRAY RAM RESIDENT OF MOHALLA-BUXAR SUMESHWAR ASTHAN, CENTRAL JAIL ROAD, POLICE STATION BUXAR (T), DISTRICT-BUXAR.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR THROUGH THE DIRECTOR GENERAL OF POLICE, STATE OF BIHAR, PATNA.
2. THE PRINCIPAL SECRETARY, DEPARTMENT OF HOME (POLICE), GOVERNMENT OF BIHAR, PATNA.
3. THE PRINCIPAL SECRETARY, GENERAL ADMINISTRATIVE DEPARTMENT (PERSONNEL ADMINISTRATIVE REFORMS DEPARTMENT), GOVERNMENT OF BIHAR, PATNA.
4. THE CENTRAL SELECTION BOARD OF CONSTABLE, BIHAR, PATNA THROUGH ITS SECRETARY.
5. THE CHAIRMAN OF CENTRAL SELECTION BOARD OF CONSTABLE, BIHAR, PATNA.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Nil Kamal
For the State	:	Mr. Vikash Jha, AC to GA 9
For CSBC	:	M/s Sanjay Pandey, Binod Kumar Mishra and Mr. Vivek Anand Amritesh

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

9 20-11-2018 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State.

The writ petition was filed challenging the entire selection process arising out of Advertisement No. 2 of 2009 by the Central Selection Board for appointment of constable.

The Board has appeared and filed counter affidavit. It is specific stand of the Board that the petitioner was declared selected in the result published on 18.12.2010. It is further stated that certain orders were passed in the proceeding arising



out of LPA No. 634 of 2011, LPA No. 635 of 2011 and LPA No. 638 of 2011 challenging the order and judgment dated 19.2.2011 passed in CWJC No. 14170 of 2010 and analogous cases. The appeals were dismissed on 13.7.2011. In view of such developments pursuant to the selection of the petitioner in the result dated 18.12.2010, the result was revised as per the guidelines issued by the High Court in the proceeding arising out of CWJC No. 14170 of 2010 and LPA No. 634 of 2011 and analogous cases. As a result of reworking of the result the petitioner was found to be having lesser marks than the last appointed candidate in her category i.e. Scheduled Caste Female Non Home Guard category. It is the specific stand of the Board that the last selected person in the said category was having 21 marks and was higher in marks than the petitioner, who had secured 19 marks.

Rejoinder to the counter affidavit has been filed by the petitioner. Reliance is placed on the earlier result which was published on 18.12.2010, wherein the petitioner was found selected.

The petitioner cannot be permitted to place reliance on the said result since the same was revised as per guidelines issued by the High Court in the proceedings arising out of CWJC



No. 14170 of 2010 and LPA No. 634 of 2011 and analogous cases. The revised result was published on 10.8.2011 wherein the petitioner was found to be lesser in merit than the last selected candidate. Thereafter no steps were ever taken by the petitioner to avail any remedy against the orders of the High Court taken note of, pursuant to which the earlier result was revised.

In view of the aforesaid development, the petitioner has no enforceable claim. The writ petition is devoid of merit and is accordingly dismissed.

(Madhuresh Prasad, J.)

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