

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.427 of 2018

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Masower Anjum, son of Altaf Alam, resident of Village- Ward No 10, P.S. Kishanganj, District Kishanganj, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Public Health Eng. Department, Government of Bihar, Patna.
2. The Secretary, Public Health Eng. Department, Government of Bihar, Patna.
3. The Engineer in Chief, Public Health Eng. Department, Government of Bihar, Patna.
4. The Joint Secretary, Public Health Eng. Department, Government of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.
For the Respondent/s : Mr. U.P. Singh, AC to SC4

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT

Date : 12-09-2018

Heard learned counsel for the petitioner and counsel for the State.

In this case, learned counsel for the petitioner submits that the petitioner has wrongly been not appointed as Junior Engineer (Civil/Mechanical) though he had acquired 100 points.

In the counter affidavit, it has specifically been mentioned that the petitioner has given wrong information about his experience which was found to be forged during counseling and, as such, the point which was generated on account of experience certificate was withdrawn and has secured only 60 points and the person having 65 points have been selected. It will



be better to quote paragraph nos. 6, 7, 8 & 9 of the counter affidavit, which reads as follows:-

“6. That in response to prayer made by the writ petitioners it is humbly submitted that the writ petitioner has not approached this Hon’ble Court with correct facts misleading this Hon’ble Court. However, the real fact is that the writ petitioner has committed fraud by submitting false information relating to his experience while submitting his online application.

7. That basically, due to his wrong submission of false information relating to his experience petitioner for Computer Generator 75 points out of 100 points. However, in counseling it was found that the petitioner does not possess necessary experience Certificate relating to departmental experience and due to this reason, his merit point was reduced to 60 points only.

8. That after first counseling, a merit list was prepared in which the name of the petitioner could not be included due to low rank in merit list.

9. That it is pertinent to mention that, so far the second list is being concerned, again petitioner name could not figure in the selection list due to the reason candidate having 65 and above merit points have also been offered engagement purely on contractual basis, whereas present petitioner’s name figures at serial no.102 in the said 2nd list with only 60 merit points.”

In that view of the matter, the petitioner cannot be given the benefit of appointment. This writ application is, accordingly, dismissed.

(Shivaji Pandey, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.09.2018
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