

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.344 of 2018

In

Civil Writ Jurisdiction Case No.3598 of 2016

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

... .. Appellant/s

Versus

1. The State of Bihar.
2. The Secretary, General Administration Department, Secretariat, Bihar Patna.
3. The Director General of Police, Govt. of 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 Appellant/s	:	
For the Board	:	Mr. Sanjay Pandey, Advocate
For the State	:	Mr. Saroj Kumar Sharma, A.C. to AAG-3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

4 10-12-2018 This matter has been called out but in spite of having

waited for some time no one has turned up to press this appeal.

2. Learned counsel for the State and the respondent-
Board are present.

3. The challenge is to the judgment dated 5th February,
2018 where the learned Single Judge has recorded that since the
appellant has filed the petition after almost four years of the
process having been completed, he did not deserve any
indulgence and even otherwise on merit it was observed that the



last selected candidate had obtained 138 marks in the same category as that of the appellant, namely, Scheduled Caste-Male-Non Home Guard category.

4. According to the rules applicable and which has been categorically stated in the counter affidavit filed to the writ petition, the provision clearly eliminates that 'person who is younger in age'. In the instant case, the date of birth of the last candidate recommended is 10th of March, 1989 whereas that of the appellant is 13th June, 1993. This fact remained uncontested. Consequently, the learned Single Judge declined to grant relief on this ground as well.

5. Since no one appears for the appellant, this appeal stands dismissed for want of prosecution.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

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