

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.646 of 2018

In
Civil Writ Jurisdiction Case No.16372 of 2017

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1. Abhishek Singh Son of Ramtiha Singh, R/o- Village- Danibigha, Basdiha, P.S. - Navi Nagar, District- Aurangabad.
 2. Chandan Kumar, S/o Gaya Yadav, R/o Village- Yadu Bigha, P.O.- Latta, P.S.- Pauthu, District- Aurangabad.
 3. Dharmendra Sao, S/o Tulsi Sao, R/o Village + P.O. Kataiya, P.S.- Dev, District- Aurangabad.
 4. Satyendra Kumar, S/o Nathun Yadav, R/o Village- Bhetniya, P.O.-Indwar, P.S.- Pauthu, District- Aurangabad.

... .. Appellant/s

Versus

1. The Union of India through its Secretary, Postal Department (Dak Bhavan), Sanchar Bhavan, Sansad Marg, New Delhi.
2. The Director General, Dak Bhavan (Sanchar Bhavan) Sansad Marg, New Delhi.
3. The Chief Post-Master General, Bihar Circle, Meghdoot Bhavan, G.P.O. Campus, Patna.
4. The Director of Post Office, Head Quarter, Circler Office, Meghdoot Bhawan, G.P.O. Campus, Patna.
5. The Assistant Director, Recruitment Office of Chief Post Master General, Bihar Circl, Meghdoot Bhavan, G.P.O. Campus, Patna.
6. The Chairman, Bihar Sanskrit Siksha Board, 17, Back Harding Road, Patna, Bihar- 800001.
7. Royushan Rajak, S/o Suryadeo Rajak, R/o Village, P.O.- Kunda, P.S.- Mufassil, Aurangabad, District- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Pramod Kumar Singh, Advocate
For the Respondent/s	:	Mr. S.D Sanjay (Addl. Soc. Gen.)
		Mr. Rajesh Kumar Verma, CGC

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

3 06-10-2018 Feeling aggrieved and dissatisfied by the impugned judgment and order passed by the learned Single Judge dated 06.04.2018 in C.W.J.C. No. 16372 of 2017 by which the learned



Single Judge dismissed the said writ petition, the original writ petitioners have preferred present Letters Patent Appeal under Clause 10 of the Letters Patent.

The concerned respondents invited applications for appointment on the post of Gramin Dak Sewak. The recruitment process started by a public advertisement/notification dated 18.09.2017. The minimum required qualification was 10th standard examination conducted by the Bihar School Examination Board or Central Government Examination Board.

It is an admitted position that the writ petitioners did not have the said qualification/minimum qualification. However, they claimed the equivalence on the basis of their passing 10th examination from the Bihar Sanskrit Shiksha Board, Patna/Madhyama Examination. In absence of any specific equivalence or any decision by the appropriate authority to treat and consider that Madhyama Certificate from the Bihar Sanskrit Shiksha Board, Patna equivalent to the tenth standard examination held by Bihar School Examination Board, learned Single Judge refused to grant any relief.

It is required to be noted that the original writ petitioner prayed before the learned Single Judge to restrain the respondents from proceeding further with the recruitment



process till the petitioners are given opportunity to submit the on-line application and they are permitted to participate in the recruitment process.

As observed hereinabove, they do not fulfil the educational qualification as not having passed 10th Standard examination by the approved Board. Therefore, the said writ petition has been rightly rejected by the learned Single Judge.

We are in complete agreement with the view taken by the learned Single Judge. The present Letters Patent Appeal is fit to be dismissed. It is, accordingly, dismissed.

(Mukesh R. Shah, CJ)

(Rajeev Ranjan Prasad, J)

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