

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.790 of 2018

In

Civil Writ Jurisdiction Case No.8332 of 2018

=====

Bineet Singh Son of Ram Kewal Singh Resident of Village-Bakhariya, P.O.-
Belghat Balua, Police Station-Ara Muffasil, District-Bhojpur Bihar.

... .. Appellant/s

Versus

1. The State Of Bihar through the Chairman, Central Selection Board, Bihar, Patna.
2. The Secretary, Central Selection Board (Constable Recruitment), Bihar Patna.
3. The Public Information Officer, Central Selection Board (Constable Recruitment), Bihar Patna.
4. The Inspector General of Police Bihar Patna.

... .. Respondent/s

=====

Appearance :

For the Appellant/s : Mr.Abhishek

For the Respondent/s : Mr.

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

2 09-07-2019

Heard learned counsel for the appellant.

The contention raised is that, in fact, the appellant had completed his race during the physical test along with one Chandan Kumar and, therefore, the finding recorded in the orders that were impugned before the Writ Court that the appellant had not been able to complete the race within the specified time is contrary to record.

We have perused the writ petition and in paragraph 16 the assertion is that the findings recorded are contrary to the video footage which the appellant alleges to be



contained in photostat copies of the photographs stated to have been acquired by the appellant to demonstrate that he had completed the race along with another person.

We have considered the submissions raised and we find that, firstly, the averments contained in paragraph 16 are not specific and, secondly, there is no material to support that the photostat copies that have been filed are in relation to the appellant himself.

Further, we find that the finding recorded in the order impugned in the writ petition was not challenged by the appellant by specifically controverting the recital of having run the race only half way through.

The allegations made in paragraph 16 of the writ petition, therefore, do not stand substantiated by any material fact so as to find any error of fact in the findings recorded by the authorities. Consequently, the conclusion drawn by the learned Single Judge does not suffer from any infirmity.

The appeal fails and is accordingly dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

U			
---	--	--	--

