

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24740 of 2018

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Moni Kumari D/o Ramrup Ravi Das R/o Village P.O.- Rangaon, P.S. -
Dhoraiya, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department, Patna, Bihar.
3. The Chairman, Bihar Police Sub- Ordinate service Commission, Bihar,
Patna.
4. The Secretary, Bihar Police Sub- Ordinate Service Commission, Bihar,
Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Alka Verma
For the Respondent/s	:	Mr. Md. Nadim Seraj- GP5
For the BPSSC	:	Mr. Kunal Tiwari, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-06-2019 Heard Ms. Alka Verma, learned counsel for the

petitioner, Mr. Nadim Seraj, learned GP-5 and Mr. Kunal

Tiwari, learned counsel for the Bihar Police Sub-ordinate

Service Commission.

The petitioner has challenged the advertisement

no. 1 of 2017, which was floated for the purpose of selection

of candidates on the post of Sub-Inspector of Police by the

Bihar Police Subordinate Service Commission.

The major ground of challenge is that the benefit

of concession in reservation in terms of physical qualification



has not been extended to woman candidates.

It is the case of the petitioner that some concession has been made for male candidates falling in SC category so far as the requisite height is concerned. On the contrary and without any logic, such concession has not been provided for the female candidates in SC category. For them, 160 c.m. has been fixed to be the requisite height, which is the height prescribed for woman in general category also.

This Court is afraid, the aforesaid issue cannot be adjudicated in this forum before a Single Judge. Any discussion/adjudication of the aforesaid issue would be in the realm of testing the correctness of the decision with respect to fixing of the requisite height in the reserved category for woman.

So far as this petition is concerned, this Court would have no occasion to get into the other aspects solely on the ground that this requirement of height was known to the petitioner, who after having accepted the same, participated in the selection process but could not be successful.



For the aforesaid reasons, this Court finds no merit in the writ petition.

At this stage, Ms. Alka Verma, learned counsel for the petitioner, with a wider perspective in mind, mainly to agitate the issue of concession in reservation to SC woman so far as the physiognomy / height of such beneficiaries are concerned, seeks permission to withdraw this petition in order to agitate the aforesaid issue before an appropriate forum.

The writ petition is dismissed as withdrawn with the liberty aforesaid.

(Ashutosh Kumar, J)

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