

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5675 of 2019

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Ramesh Kumar Singh, aged about 34 years, Male, S/o Late Ramadhar Singh,
Resident of Village- Sarfagar, P.S. Udwant Nagar, District- Bhojpur, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Home, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Inspector General of Police, Central Zone, Patna.
5. The Chairman, Central Selection Board (Constable Recruitment), Bihar,
Patna.
6. The Deputy Inspector General of Police, Central Range, Patna.
7. The Senior Superintendent of Police, Patna.
8. The Officer on Special Duty, Central Selection Board (Constable
Recruitment), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Singh, Adv.
Ms. Sudha Chandra, Adv.
For the Respondent/s : Mr. Sheo Shankar Prasad (SC-8)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 11-04-2019

The petitioner is aggrieved by the order dated
12.01.2019, contained in Memo No. 150, passed by the
Superintendent of Police, Jehanabad, whereby the



appointment of the petitioner on the post of Driver/Constable has been cancelled for his not having requisite qualification.

2. For any person to be appointed as Driver/Constable, he is required to have passed the examination of Intermediate on or before 01st August, 2016. After the appointment of the petitioner, it was found by the authorities concerned that he had appeared in the Intermediate examination prior to the cut-off date, but the result had not been published. The requirement in the Advertisement No. 01 of 2016, against which appointment has been made, is that the aspirant has to have an Intermediate degree, which he must have passed on or before 01st August, 2016. On that ground alone, the appointment of the petitioner has been cancelled.

3. The learned counsel for the petitioner has submitted that some relaxation ought to have been given to the petitioner in the background of his having served in an *ad hoc* capacity as a Driver/Constable. Apart from this, it has been submitted that cases of some other persons, whose



appointment on verification of the documents was canceled,
are pending adjudication before this Court.

4. None of the grounds urged by the petitioner
for interfering with the order of termination of service finds
favour with this Court. Since the petitioner did not have the
requisite qualification for the appointment and the
appointment order was issued in ignorance of such facts,
there is nothing wrong in correcting/rectifying the said
mistake and terminating the appointment of the petitioner.

5. This Court finds no merit in this writ petition
and the same is, accordingly, dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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