

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 12576 of 2014

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Vikash Sah, Son of Sri Brijnandan Sah, Resident of Village + P.O.-
Jurawanpur Karari, P.S.- Jurawanpur, District- Vaishali.

... .. Petitioner/s

Versus

1. The Union Of India through its Ministry of Home Affairs
2. The Chairman, S.S.B. Selection Board, Falkata (W.B.)

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr Umeshanand Pandit, Advocate
For the Respondent/s : Mr Manoj Kumar Singh, CGC

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 29-04-2019

Heard learned counsel for the petitioner and the Union of India.

Petitioner has sought a direction upon the respondents to appoint him on the post of Head Constable (Telecom), pursuant to Sashastra Seema Bal (for brevity, *SSB*) Recruitment Process, 2013. It is his specific case that his name was not published as an appointee in the final result.

Counter affidavit has been filed by the Union of India. It has taken a specific stand that the petitioner has obtained 40 marks in the recruitment process whereas cut off marks of Other Backward Class (for brevity, *OBC*) category, to which the petitioner belongs, was 41 marks.



Since the petitioner did not figure within the cut off marks, he could not be selected. It is also the specific stand of the Union of India that no vacancy of Head Constable (Telecom), 2013-2014 of OBC category has remained unfilled.

These averments are, therefore, sufficient to conclude that the petitioner has no enforceable claim as none, below him in merit, has been selected in the process of appointment. The averments, made in the counter affidavit filed by the Union of India, are also not denied or disputed by the petitioner by filing any rejoinder.

Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
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