

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6556 of 2019

=====

Nikhil Kumar, S/o Jayshankar Yadav Resident of Mohall- Purnia Court
Station, Near Durga Mandir, P.s.- K.Hat, Distt.- Purnia

... .. Petitioner/s

Versus

1. The State of Bihar through the Chairman, Central Selection Board
(Constable Appointment), Bihar, Patna
2. The Secretary Personnel Department Govt. of Bihar
3. The Director General of Police (Home) Bihar, patna
4. The Additional Director General of Police (Home) Bihar, Patna
5. The Inspector General of Police (Home) Bihar, Patna
6. Deputy Inspector General of Police (Home) Bihar, Patna

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava
For the Respondent/s	:	Mr.Md. N. H. Khan (SC1)
		Ms. Babita Kumari, AC to SC-1
For CSBC	:	Mr. Sanjay Pandey, Advocate
		Mr. Binod Kumar Mishra, Advocate
		Mr. Vivek Anand Amritesh, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 30-04-2019 Heard Mr. Vijay Shankar Shrivastava, learned

counsel for the petitioner and Mr. Sanjay Pandey, advocate

for the Central Selection Board (Constable Appointment).

The petitioner has approached this Court for a

direction to the respondent authorities to appoint him on the

post of Driver Constable as according to his assessment, he

has obtained more marks than the cut-off marks fixed by the

Board, which to his knowledge is 69 and the petitioner has



an expectation that he would have secured not less than 88 marks.

This Court is surprised as to how such a statement has been made. In the affidavit of the petitioner, such statement is stated to be based on his personal information.

In defence of such assessment, learned counsel for the petitioner has drawn the attention of this Court to the advertisement, where maximum marks is fixed for particular stages of examination. On the basis of the aforesaid details in the advertisement, the learned counsel for the petitioner submits that since he had performed well, he ought to be given the full marks.

This Court can only record the submissions of the learned counsel for the petitioner for the purposes of rejecting the same.

The petitioner has himself stated that he has sought informant regarding the marks obtained by him through RTI, which information has not been provided to him as yet. Learned counsel for the petitioner need not be reminded that if the requisite information is not being



provided to him, he has an option for preferring an appeal against such inaction on the part of the Informant Officer of the department.

This Court, on finding the petition to be absolutely merit-less, was inclined to impose cost, but has refrained from doing so, only for the reasons that the petitioner has failed to be appointed as a Constable in the examination.

Finding no merits, the writ petition is dismissed.

(Ashutosh Kumar, J)

skm/-

U			
---	--	--	--

