

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 5112 of 2016

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Sharda Kumari, wife of Ramakant Ray, resident of village - Gundi (Jai Lal Ke Dera), P.O. - Gundi, P.S. - Saraiya, District - Bhojpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director General of Police, Bihar, Patna.
3. The Chairman, Central Selection Board (Constable Recruitment), Bihar, Patna.
4. The Special Officer, Central Selection Board (Constable Recruitment), Bihar, Patna.
5. The Superintendent of Police, Bhojpur, Arrah.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	M/s Rajendra Kishore Pd, Surj Bansh Roy, Sanjay Kr, Advocates
For the S t a t e	:	Ms Archana Meenakshee, GP VI Mr Harish Singh, AC to GP VI
For the B o a r d	:	M/s Sanjay Pandey, Binod Kr Mishra, Vivek Anand Amritesh, Advocates

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 07-11-2019

Heard learned counsel for the petitioner, Board as well as the learned counsel for the State.

2 The petitioner is aggrieved by rejection of her candidature in the process of selection for the post of Constable in the Bihar Police Force. Application was made pursuant to Advertisement No 1 of 2014. Learned counsel for the petitioner



submits that the mismatch is not an irregularity which can be made the basis of cancellation of the petitioner's candidature.

3 Relying upon the terms and conditions in the Advertisement as well as the process of selection, the learned counsel for the Board submits that disqualification is the prescribed consequence for mismatch in details submitted by the candidates and, therefore, the petitioner, who has participated in the process of selection in these terms and conditions, cannot be permitted to turn around and challenge the same. Referring to the various documents submitted by the petitioner which include the Residential Certificate, Matriculation Certificate, Intermediate Certificate, Cast Certificate etc, it is rightly pointed out that the father's name, permanent and correspondence address mentioned in the application form submitted by the petitioner is different and there is a mismatch between the details in this respect provided in the application form with that of the documents submitted in support of the application which are annexed as Annexure C series to the counter affidavit.

4 Submission of the learned counsel for the Board is correct as per the copies submitted along with the counter affidavit. Petitioner has tried to overcome the said disqualification by annexing certificates in her reply to counter affidavit which



have been obtained subsequently, during pendency of the instant proceedings to justify her claim. Clearly, the same is impermissible. Candidature of the petitioner is required to be considered as per the particulars and testimonials furnished by her at the time of filling the application form. In those particulars and testimonials, there is a clear mismatch, and candidature of the petitioner has rightly been disqualified.

5 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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Transmission Date	NA

