

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13775 of 2016

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Shambhu Kumar Singh son of Late Maheshwar Pd. Singh, r/o sonpur Chiti of
Bazar Po & PS Sonepur, District Saran 841101

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director General of Police, Police Headquarter, Old Secretariat Patna Bihar
3. The Chairman, Police Selection Board, Patna Regional Board No. 1 cum Commandant, Bihar Military Police Patna
4. The Deputy Inspector General of Police Bihar Patna
5. The Superintendent of Police Hazipur at Vaishali
6. The Deputy Inspector General of Police, Muxaffarpur, Tirhut Pramandal at Muzaffarpur

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Pankaj & Mr. Prem Kumar
For the Respondent/s	:	Mr. Suman Kumar AC to -Aag3
For Respondent No. 3	:	Mr. Sanjay Pandey & Mr. Binod Kumar Mishra

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 11-04-2019 Heard learned Counsel for the petitioner and the

learned Counsel for the respondent State.

The petitioner has approached this Court based on the fact that he was declared successful in the process of selection undertaken in terms of Advertisement Nos. 1, 2 of 2004 for selection/appointment of Constables.

Supplementary counter affidavit filed on behalf of respondent No. 5 has placed on record the fact that the petitioner was a candidate of general category. In that category the last selected candidate had 15 marks. Since 15 was the cut off marks, the petitioner, who had obtained only 7 marks, could not



be appointed.

Such stand of the State in the counter affidavit leaves nothing to be done in the instant proceeding. Since none has been appointed below the petitioner and last appointed candidate was much superior to the petitioner in the process of selection, the petitioner is not in a position to claim appointment. Merely for the fact that his name has figured in the list of successful candidates, petitioner cannot claim vested right to be appointed. The facts stated in the supplementary counter affidavit has also not been denied by filing any rejoinder.

In view of such stand, the writ petition is dismissed.

SNKumar/-

(Madhuresh Prasad, J)

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