

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.787 of 2018

In

Civil Writ Jurisdiction Case No.1677 of 2015

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1. Bablu Upadhyay S/o Muneshwar Upadyay, R/o Village Harla P.O.-Mahuri, P.S.-Souhar, District-Kaimur
 2. Abhishek Tiwary S/o Ramesh Tiwary, R/o Village and P.O.-Majhiaur, P.S.-Chakropokhari, District-Bhojpur
 3. Soni Kumari D/o-Shashi Ranjan Pandey, R/o Village Kaupa, P.O.-Sakla, P.S.-Karakat, Distict-Rohtas.

... .. Appellant/s

Versus

1. Chairman, Punjab National Bank, Main Branch, Bhikhaji Kama Palace, New Delhi
2. Regional Manager, Punjab National Bank, Bhojpur.
3. Circle Head, Punjab National Bank, Circle Office, the Regal Hotel, Ara.
4. Chief Manager, Circle Office, Ara.
5. Md. Asfakan Ansari son of Sayad Hussain Ansari
6. Ashok Kumar Gond son of Ramgahan Gond
7. Abhishek Kumar Singh son of Om Prakash, respondent No. 5 to 7 are resident of village and P.S. Ramgarh, District-Kaimur
8. Gautam Paswan son of Subedar Ram, Resident of village & P.S. Dawath, District Rohtas
9. Gopal Kumar son of Suresh Thakur, resident of village and P.O. Teterah, P.S. Akhrhogola, District-Rohtas
10. Laxmikant Sharma, son of Sudama Sharma, resident of village and P.O. Keshopur, P.S. Simri, District-Buxar

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Srinandan Pd. Singh, Advocate
		Mr. Mritunjay Kumar, Advocate
For the Respondent/s	:	Mr. Kumar Priya Ranjan (S.C.)

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 09-07-2019

Heard Shri S.N. P. Sinha, learned Senior Counsel,

for the appellants and Shri Kumar Priyaranjan, learned counsel

for the Bank.



The contention raised on behalf of the appellant is that the appellant ought to have been selected under the loco-motor disability class against the post that was reserved for differently abled persons.

The learned Single Judge has found that a candidate higher in merit in the same category has been offered appointment. Learned counsel for the appellant contended that there are no specifics about the same to which learned counsel for the Bank has responded by inviting the attention of the Court to the averments contained in paragraph 5 of the supplementary counter affidavit filed on behalf of the Bank where it is stated that Ritesh Kumar Choubey is having 50 % disability and, therefore, awarded 19 marks which is higher than that of the appellant who had only 45% disability and had been correctly awarded 17 marks. We, therefore, do not find any error of fact in the impugned judgement.

The appeal lacks merit and is, accordingly, dismissed.

(Amreshwar Pratap Sahi, CJ)

(Anjana Mishra, J)

Saif/-

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