

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.14716 of 2019

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Kawita Kumari, aged about 34 years, female, W/o Sri Etwari Saw, R/o Vill.-
Gouripur, P.O. and P.S.- Chandan, Distt.- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Chairman, Bihar Police Sub-ordinate Service Commission,
Raghunathpath.
4. The Secretary, Bihar Police Sub-ordinate Service Commission,
Raghunathpath.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Adv.
For the State	:	Mr. Manish Kumar (GP-4)
For the BPSSC	:	Mr. Sanjay Pandey, Adv. Mr. Nishant Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 30-07-2019

Apropos the order dated 24.07.2019 passed
by this Court, Mr. Sanjay Pandey, the learned Advocate
for the respondent/Bihar Police Sub-ordinate Service
Commission (*in short the Commission*) has informed this
Court that the cut off marks for the female



candidates in the EBC category is 85.20, whereas the petitioner has received only 75.80 marks. It has further been submitted that the expectation of the petitioner that in the event of some seats remaining vacant, her case would be considered is also far-fetched and not based on objective reasoning. On the cut off marks of 85.20, there are many candidates and for shortlisting and considering them, the modus of treating the senior most candidate with date of birth as 25th August, 1993 has been adopted by the Commission. Even if some posts become vacant because of some candidates being declared medically unfit, the petitioner would have extremely remote chance of reaching to that level where she could be considered.

2. To recapitulate, the petitioner, in the first instance, was aggrieved by the non-disclosure of the cut of marks fixed for EBC candidates in the female category as also the marks obtained by her. The objection to the aforesaid contention of the petitioner was that all candidates could have downloaded their marks, which information was provided by the Commission.



3. However, on the asking of the Court, the marks have been provided today in Court, a copy of which has been handed over to Mr. Rajeev Kumar Singh, the learned Advocate for the petitioner.

4. With respect to the contention that out of 296 seats, only 246 seats have been filled-up, leaving two posts earmarked for EBC female candidates unfilled, is also stated to be incorrect. The two seats which are claimed to have remained vacant now are demonstrated to have been filled by one candidate, each of female and male category of such persons who have been given reservation because of their being grandparents of freedom fighters.

5. The claim of the petitioner for being considered, therefore, cannot be accepted.

6. However, in case, the petitioner finds that the information provided by the Commission is incorrect and the claim of the petitioner has wrongly been negatived, it would be open for him to approach this Court again with all relevant facts.



7. With the aforesaid observation/direction,
the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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