

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 14629 of 2014

Atul Kumar Singh S/o Akhilesh Kumar Singh Resident of village Fatehpur,
P.O. and P.S. Raghapur, District Vaishali.

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Railway Board, New Delhi
2. The Chairman, Zonal Recruitment Committee-cum-Chief Security Commissioner, North Centre, Railway, Allahabad
3. The Chief Security Commissioner/RPF, North Central Railway, Subedarganj, Allahabad, U.P.

... .. Respondent/s

For the Petitioner/s : Mr Sri Krishna Ranjan, Advocate
For the Respondent/s : Mr Anil Singh, Advocate

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL JUDGMENT

Date : 27-08-2019

Heard learned counsel for the petitioner as well as the learned counsel for the Railways.

2 Writ petition has been filed claiming a direction in favour of the petitioner to appoint him as Sub Inspector in the Railway Protection Force by granting him 3 additional points/marks on account of his Athletic Certificates. The Advertisement, pursuant to which the petitioner applied, is 2 of 2011.

3 Railways have filed counter affidavit after due service upon petitioner's counsel in July, 2015 itself. The specific stand of the respondents-Railways in the counter affidavit is that the petitioner had not submitted any certificate in support of his claim for additional marks on account of his being a Sportsman or



Athlete. Neither any certificate was annexed along with the application form nor any certificate was produced at the viva voce test. The petitioner, in the circumstances, was treated as a General Candidate. The Authorities have further disclosed that petitioner had obtained 93 marks in the written examination and 7 marks in the interview. The petitioner's total marks were 100 whereas cut off marks, even as per the replaced panel, were 101.25. Petitioner, therefore, was below the cut off marks and, therefore, has not been offered appointment.

4 The aforesaid stand of the respondent-authorities, till date, stands undisputed and not denied as no rejoinder to the counter affidavit has been filed.

5 Considering the submission of the learned counsel for the Railways, which has not been denied or disputed till date, this Court would find that petitioner has no enforceable claim for appointment.

6 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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