

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5868 of 2018

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Banit Kumar, son of Shiv Shankar Singh, resident of Village- Parstampur,
P.O.- Karhansi, P.S.- Natwar, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. Central Selection Board (Constable Recruitment) through its Secretary,
Bihar, Shri Sain Tara Complex, I.A.S. Colony, Jawaharlal Nehru Marg,
Patna.
4. The Chairman, Central Selection Board, (Constable Recruitment), Bihar,
Shri Sain Tara Complex, I.A.S. Colony, Jawaharlal Nehru Marg, Patna.
5. The Deputy Inspector General of Police, Sahabad Range, Dehri-on-Sone.
6. The Superintendent of Police, Rohtas at Sasaram.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rana Ishwar Chandra, Advocate
For the Respondent : Mr. Sanjay Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 19-04-2019

The petitioner is aggrieved by the fact that despite his representation for re-measurement of his height for the purposes of selection as a Constable against Advertisement No. 1/2017, the same has neither rejected nor acted upon.

2. It is the case of the petitioner that he had crossed all the hurdles and only at the stage of measurement of his height, he was non-suited for being some millimeters less than the requisite standard set in the advertisement.

3. A representation is said to have been filed by the



petitioner for his re-measurement but before the Secretary of the Central Selection Board. The aforesaid fact has been denied by the learned advocate for the Commission and it has been submitted that an Appellate Authority for review of height measurement had been constituted for the purpose, but in the absence of any such representation or appeal by the petitioner, no order has been passed.

4. The claim of the writ petitioner of having represented which has been denied by the Commission, and there being no proof of filing of such representation, this Court would not deem it appropriate to enter into any such question of fact which has been disputed by the contesting parties on oath.

5. Despite this, the Court would have considered the feasibility of review of the measurement, had the process of selection being continuing and had not been completed.

6. Mr. Sanjay Pandey, learned advocate appearing for the Central Selection Board has made a categorical statement that the results of the examination have been published in the year 2018 and pursuant to the list having



been published, all the posts have been filled of successful candidates and appointments have been made.

7. In the background of the completion of the selection process in its entirety, this Court does not consider it appropriate to direct for a review of the measurement of height of the petitioner.

8. For the aforesaid reason, the writ petition is dismissed.

(Ashutosh Kumar, J)

Shageer/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25/04/2019

