

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 24403 of 2019

1. Aram Sagar Sah Son of Mahavir Sah, Resident of Village-Dullipatti, P.S.-Jainagar, District-Madhubani.
2. Sanjay Kumar Son of Dukhit Mahto, Resident of Village-Khawa Chandra Tola, P.S.-Medini Chowki, District-Lakhisarai.
3. Dhamendra Prasad @ Dharmendra Prasad Son of Shyam Bihari Prasad, Resident of Village-Chandubihra, P.S.-Itarhi, District-Buxar.
4. Roshan Kumar Son of Nagendra Sha, Resident of Village-Bhelaury, P.S.-Choutham, District-Khagaria.
5. Anil Kumar Chaudhary Son of Brahmdev Chaudhary, Resident of Village-Hisua, P.S.-Hisua, District-Nawada.
6. Sushma Kumari Daughter of Birendra Kumar, Resident of Village-Pendarpur, P.S.-Rahul District-Nalanda.
7. Puja Kumari Daughter of Sakaldeo Saw, Resident of Village-Nardiganj, P.S.-Nardiganj, District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Patna.
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Chairman, Kendriya Chayan Parishad (Sipahi Bharti), Sardar Patel Bhawan, 6th Floor, Block A/626, Jawaharlal Nehru Marg, Patna.
4. The Principal Secretary, Department of Forest, Environment and Climate Change, Government of Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr Bimal Kumar, Advocate
For the S t a t e	:	Mr Md N H Khan, SC I
For the C S B C	:	M/s Sanjay Pandey, Binod Kr Mishra, Advocates

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 31-01-2020

Heard learned counsel for the petitioners and the
respondent-State.



2 The petitioners have participated in the process of selection initiated by Advertisement No 1 of 2019. Learned counsel for the petitioners submits that the petitioners had been declared passed in the written examination in the result dated 28.08.2019. 1804 candidates were declared passed for appointment on 902 posts. It is, thereafter, that the petitioners were issued an Admit Card for Physical Test and Medical Test as per the procedure prescribed. The petitioners, thereafter, participated in the Medical Test. It is the submission of the petitioners' counsel that though he was fulfilling the requisite medical/physical fitness, he has not been declared selected. Petitioners' counsel, however, has not brought to the notice of this Court what is the procedural infirmity in the process of selection or what is the unfairness meted out to the petitioners. Rejection of the petitioners' candidature in the Physical Test per se cannot be made the foundation of invoking the writ jurisdiction. If that is permitted, then all the candidates, who were declared unfit, would approach the Writ Court. It is only where the petitioners make out a case that they have been meted out with unfairness in the process of selection or that the process itself was in any manner unfair, discriminatory and arbitrary, that the petitioners can assail the selection of 902 candidates as has been done in the instant case.



3 No case for interference with the result has been made out, as prayed for in the writ petition.

4 Writ petition is devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	05.02.2020
Transmission Date	NA

