

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No. 430 of 2019

In

Civil Writ Jurisdiction Case No.11305 of 2014

Neeraj Prasad, Son of Sri R.B. Prasad, C/o Rajendra Prasad, resident of ward No. 15, Anandpur, P.S.- Sonpur, District- Saran (Bihar).

... .. Appellant/s

Versus

1. The Reserve Bank of India, New Delhi.
2. The Reserve Bank of India, Gandhi Maidan, Patna.
3. The Chief Manager, Industrial Development Bank of India (IDBI), Bank Limited, I.D.B.I. tower, WTC Complex Cuff Parade, Mumbai-400005.
4. The Industrial Development Bank of India Ltd. 44 Shakespeare Sarani Kolkatta 700017.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Shyam Sunder Pandey, Adv.
For the Respondent Nos. 1 & 2	:	Mr. Kaushal Kumar Jha, Adv.
For the Respondent No. 4	:	Mr. Harshwardhan Sahay, Adv.

CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE S. KUMAR

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 15-03-2021

Heard the parties.

Aggrieved by judgment and order dated 26.02.2019 passed by learned Single Judge of this Hon'ble Court passed in C.W.J.C. No. 11305 of 2014 dismissing the writ petition, present L.P.A. has been filed by appellant/petitioner.

Appellant had filed writ petition for direction to



respondent authorities to accept the document required for consideration of his candidature on the post of Assistant Manager, Grade-A Industrial Development Bank, for which interview was held on 04.05.2009.

Briefly stated, the facts of the case is that selection for the post of Assistant Manager, Grade-1 in IDBI was advertised in the year 2009 and appellant applied and was declared successful in the written examination and he was called to appear in interview on 04.05.2009 alongwith requisite documents and appellant appeared before the Interview Board on 04.05.2009 but it is stated that he was not interviewed for want of required documents and he was told that he will be informed subsequently with regard to his interview. However, thereafter he was never called for interview in spite of his representation.

Counter affidavit has been filed on behalf of respondent IDBI in which it has been stated that candidates who qualified in the written test were advised via e-mails to download their call letters and were also advised to go through the instructions attached to the call letter and instructions attached specified the testimonials and certification to be brought at the time of appearing in interview. Candidates who



produced the requisite documents were allowed to appear in the interview and those who failed to produce required documents, their interview dates were re-scheduled to the last date of interview in that centre.

Appellant qualified in the written test and was called for interview on 04.05.2009 at Kolkatta Centre, and he could not produce the required documents, accordingly, his interview was re-scheduled on 08.05.2009 and he appeared on said date and scored 40 marks whereas qualifying mark for OBC category was 45, as such, appellant was not selected. Attendance sheet with respect to interview held for said period has been enclosed in which appellant participated in interview on 08.05.2009, in which he was awarded 40 marks and a noting is made that his original date of interview was 04.05.2009 but he was interviewed on 08.05.2009.

The written examination and interview were held in the year 2009 and selection were also made in same year and thereafter further selections have been made by IDBI in subsequent years and appellant has approached this Court in the year 2014 and, as such, the learned Single Judge has dismissed the writ petition on ground of delay and latches also.

This Court does not find any infirmity or error in the



order passed by the learned Single Judge requiring any
interference by the Court, accordingly, the L.P.A. is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

veena/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.03.2021
Transmission Date	NA

