

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.604 of 2019

In
Civil Writ Jurisdiction Case No.6556 of 2019

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Nikhil Kumar, Son of Jayshankar Yadav, Resident of Mohalla- Purnia Court Station, Near Durga Mandir, P.S.- K.Hat, Distt.- Purnia.

... .. Appellant/s

Versus

1. The State of Bihar through the Chairman, Central Selection Board (Constable Appointment), Bihar, Patna.
2. The Secretary Personnel Department, Government of Bihar.
3. The Director General of Police (Home), Bihar, Patna.
4. The Additional Director General of Police (Home), Bihar, Patna.
5. The Inspector General of Police (Home), Bihar, Patna.
6. Deputy Inspector General of Police (Home), Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr.Vijay Shankar Shrivastava, Adv.
For the Respondent/s	:	Mr.Prabhat Kumar Verma, Sr. Adv. (AAG-3)
	:	Mr. Suman Kumar Jha, AC to AAG-3
For C.S.B.C.	:	Mr. Sanjay Pandey, Adv.
	:	Mr. Binod Kumar Mishra, Adv.
	:	Mr. Vivek Anand Amrithesh, Adv.

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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 30.04.2019 passed by learned Single Judge of this Hon'ble Court passed in C.W.J.C. No. 6556 of 2019 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 appoint him on the post of Driver-Constable in the police department/fireman- driver in the Bihar Fire Brigade Department.

Counter affidavit has been filed on behalf of respondents in which it has been stated that appellant had passed the written examination and physical evaluation test and thereafter he was called for driving efficiency test on 10.01.2019 and he appeared on said date but could not be selected for the said post as he has secured lesser marks than the cut-off marks in his reservation category i.e. BC-M. Appellant has secured 67 marks and the cut-off marks in his reservation category i.e. BC-M is 68.

It has been further stated that merit list for the post of Driver Constable was prepared on the basis of marks obtained in the driving efficiency test. Appellant was provided information with regard to his non-selection on the said post under the Right to Information Act, vide memo no. 125 dated 28.02.2019 and memo no. 267 dated 14.05.2019, with respect to marks he had secured test wise in the driving efficiency test which has been enclosed as Annexures- B and C to the counter affidavit.

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

