

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1259 of 2019

In
Civil Writ Jurisdiction Case No.9328 of 2017

=====

Bhushan Kumar, son of Sri Shankar Prasad, Resident of Village- Simra,
Mahmadpur, P.S. Janipur, District- Patna.

... .. Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Home Department Bihar, Patna.
3. The Deputy Inspector General, Prisons and Reform Services, Bihar
Department of Home (Prisons) Bihar, Patna.
4. The Chairman Central Selection Board council (Constable Recruitment) Sri
Sai Tara Complex, IAS Colony Jawaharlal Nehru Marg, Patna.
5. The Secretary, Central Selection Board Council (Constable Requirement
Patna)

... .. Respondent/s

=====

Appearance :

For the Appellant/s	:	Mr. Bhushan Kumar (In Person)
For the Respondent/s	:	Mr. Prabhat Kumar Verma (Aag3) Ms. Divya Verma, A.C. to AAG 3
For the CSBC	:	Mr. Sanjay Pandey, Mr. Binod Kr. Mishra, Mr. Vivek Anand Amritesh, Advocates

=====

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE S. KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE S. KUMAR)

Date : 24-02-2021

Heard the parties.

Aggrieved by the judgment and order dated
02.09.2019 passed in C.W.J.C. No. 9328 of 2017 passed by
learned Single Judge of this Hon'ble Court dismissing the writ
petition, the appellant has preferred this LPA.

Briefly stated the facts of the case is that



advertisement was issued for appointment of 19 assistant jailors in Home (Prisons Department) by the Central Selection Board on 28.8.2015 being advertisement no.4/2015 from the retired Junior commissioned officers / non-commissioned officers of Army for which examination was conducted on 28.8.2016 and appellant being General – Male category candidate was declared successful in written examination.

Central Selection Board published the final result of 15 candidates out of 19 vacancies on 9.5.2017 and 4 posts remained vacant due to non-availability of suitable candidates in their categories. Appellant could not be selected because he secured lesser marks than the last recommended candidate in his category. Appellant being General- Male category candidate, secured 128 marks and cut off marks in his category is 210 marks.

Appellant had also sought information under the R.T. I. Act with regard to reasons for his non-selection and same was communicated to him by the Board vide memo No.324 dated 21.6.2017 and memo No.396 dated 9.8.2017 that he could not be selected as he secured lesser marks than the last recommended candidate in his category.

Appellant had also filed a complaint before the



Hon'ble Lokayukta which was registered as complaint case No.3857 dated 22.5.2018 and respondents were asked to submit a report in respect of allegation made in complaint case and on perusal of report, the complaint case was dropped by Hon'ble Lokayukta.

Learned Single Judge dismissed the writ petition as petitioner had scored 128 marks although the cut off marks in his category was 210, as such, he could not be selected.

This Court does not find any error or infirmity in the order passed by learned Single Judge and, accordingly, this LPA is dismissed.

(Sanjay Karol, CJ)

(S. Kumar, J)

Sanjay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	17.03.2021
Transmission Date	NA

