

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20185 of 2014

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Durgesh Kumar Singh s/o Sri Mahesh Singh, R/o Village- Bhushulla, P.S.-
Badhara, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Home Secretary, Bihar, Patna
3. The Director General of Police, Bihar, Patna
4. The Chairman, Kendriya Chayan Parishad (Constable Recruitment), Computer Bhawan,
Jawaharlal Nehru Marg, Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Kumar Singh, Adv. Mr. Manoj Kumar, Adv.
For the State	:	S.A. Alam, Adv.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 08-12-2022 Heard learned counsel for the Petitioner and learned
counsel for the State.

The writ petition has been filed for issuance of an appropriate writ(s) /Direction(s)/ Order(s) to the respondents to re-examine/re-evaluate the answer-sheet of petitioner who has appeared in the examination conducted by Kendriya Chayan Parishad (Constable recruitment) (hereinafter referred on the Chayan Parishad) pursuant to advertisement no. 02/2012, for the post of fireman in Bihar Fire Service and accordingly appoint him on the post of Fireman. Final result of the selection process was published in June 2014.

There is no provision for re-evaluation as per the records, the petitioner has also not claimed that there is any provision for



re-evaluation of marks. The counter affidavit clearly contains averments that the last selected candidate under general category has secured 210 marks, whereas the petitioner has obtained 207 marks.

Mr. Rajeev Singh appearing on behalf of the petitioner submits that petitioner should have been awarded 210 marks. Such submission is founded on averment made in the writ petition that petitioner is confident that he should have been awarded 210 marks. Petitioner has disputed the marks awarded to him without any basis. Such factual dispute, in absence of any alleged procedural illegality cannot be made the basis of claiming re-evaluation, that also when there is no provision for re-evaluation. Since the petitioner is raising factual disputes, this Court, without expressing any opinion would observe that the petitioner would be at liberty to avail appropriate civil remedies.

For the reasons indicated above, the prayer in the instant writ petition cannot be allowed. Accordingly, the same is dismissed.

(Madhuresh Prasad, J)

Raj kishore/-

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