

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12627 of 2021

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The Union of India through the Principal Chief Security Commissioner,
Railway Protection Force, North Eastern Railway/Gorakhpur (Uttar Pradesh).

... .. Petitioner/s

Versus

1. The State of Bihar through the Home Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Senior Superintendent of Police, Bihar, Patna.
4. The Officer-in-Charge, Khagaul Police Station, Danapur, Patna.
5. Jai Hind Yadav, son of Shri Mahabal Yadav, Resident of Village-Salonimhinpur, P.O.-Premapur, P.S. Gaora Badshahpur, District-Jaunpur (Uttar Pradesh).
6. Mohan Singh Tewatia, son of Shri Indrajeet Singh, Resident of Village Bejlipur, P.O. Sahada Fridpur, P.S. Khurja Dehta, District-Buland Shahar (Uttar Pradesh).
7. Hariom Singh, son of Shri Rajveer Singh, Resident of Village Khanjpur, P.O. Managarhi, P.S. Navheel, District-Mathura (Uttar Pradesh).
8. Hans Raj Singh, son of Shri Rajendra Singh, Resident of Village Faridampur, P.O. Raypur, P.S. Nohsil, District-Mathura (Uttar Pradesh).
9. Manjeet, son of Shri Vishwa Nath, Resident of Village Jamohara, P.O. Jamohara, P.S. Mehdawal, District-Sant Kabir Nagar (Uttar Pradesh).
10. Vijay Kumar Deo, Son of Shri Abdesb Deo, Resident of Village Baladeo Ithari, P.O. Fullidumar, P.S. Fullidumar, District Banka (Bihar).
11. Upendra Kumar Yadav, Son of Shri Faujdar Yadav, Resident of Village Baidauli, P.O. Kaudiram, P.S. Bansgaon, District-Gorakhpur (Uttar Pradesh).
12. Pritam Singh, son of Shri Jhallu Prasad, Resident of Village Rudrapur, P.O. Devan Hari (Sahso), P.S. Phoolpur, District-Allahabab (Uttar Pradesh).
13. Pintu Kumar, son of Late Shri Braj Nandan Sharma, Resident of Village Khudauri, P.O. Hulas Ganj, P.S. Hulas Ganj, District-Jahanabad (Bihar).
14. Ashok Kumar, son of Shri Preman Das, Resident of Village Budhanpur, P.O. Bauri Beldari, P.S. Hulas Gang, District-Jahanabad (Bihar).
15. Gyanendra Babu, son of Shri Navi Chandra, Resident of Village Khadit, P.O. -Khadit, P.S. Jastrana, District-Firozabad (Uttar Pradesh).
16. Shatrughan Kumar, son of Shri Jagdish Prasad, Resident of Village Motiram Pur, P.O. Kalyanpur, P.S. Bihiya, District-Bhojpur-Ara (Bihar).
17. Jai Singh Yadav, son of Shri Jagdish Prasad Yadav, Resident of Village Ramnagar, P.O. Sahso, P.S. Tharwai, District Allahabad (Uttar Pradesh).
18. Ramakant Rajbhar, son of Shri Ram Virksh Rajbhar, Resident of Village Gayee, P.O. Gayee, P.S. Mardah, District Gazipur (Uttar Pradesh).
19. Bhagwan Das Yadav, son of Shri Ram Badan Yadav, Resident of Village



- Mahmoodpur Hathani, P.O. Deokali, P.S. Saidpur, District Gazipur (Uttar Pradesh).
20. Ranjan Kumar Singh, son of Shri Gopal Singh, Resident of Village Fatehpur, P.O. Raghavpur, P.S. Raghavpur, District Vaishali (Bihar).
21. Awadhesh Kumar Yadav, son of Shri Mahendra Prasad Yadav, Resident of Village Budhu Chak, P.O. Budhu Chak, P.S. Bidhu Chak, District-Bhagalpur (Bihar).
22. Ashutosh Kumar Gupta, son of Shri Shiv Shankar Gupta, Resident of Village Tilauli, P.O. Kothilwan, P.S. Bankata, District Deoria (Uttar Pradesh).
23. Laxmi Chandra Yadav, son of Shri Ramdev Yadav, Resident of Village Kandrai, P.O. Misruslia, P.S. Khajni, District Gorakhpur (Uttar Pradesh).
24. Ajit Kumar Yadav, son of Shri Jhinguri Yadav, Resident of Village Banshipur, P.O. Mirza Murad, P.S. Mirza Murad, District-Varanasi (Uttar Pradesh).
25. Sandeep Kumar Dwivedi, son of Shri Yamuna Prasad, Resident of Village Raigarh, P.O. Raigarh, P.S. Mahesh Ganj, District Partapgarh (Uttar Pradesh).
26. Raj Kumar Yadav, son of Shri Ramlal Yadav, Resident of Village Akhtiyarpur, P.O. Akhtiyapur, P.S. Chitbada Gaon, District-Balia (Uttar Pradesh).
27. Rinku Kumar Yadav, Son of Shri Moti Lal Yadav, Resident of Village-Deoria, P.O. Hasulahi, P.S. Kopa, District Chhapra (Bihar).

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.K.N. Singh,Advocate
For the Respondent/s	:	Mr.N.H.Khan,SC-1
		Mrs.Babita Kumari,AC to SC-1
For the Private Respondent	:	Mr.Surendra Kishore Thakur,Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 23-11-2022 The learned Additional Solicitor General appearing for the Union of India submits that the Hon'ble Allahabad High Court by a judgment dated 16.04.2018, passed in Writ-A No. 2813 of 2017, (Ranvijay Singh and Ors. vs Union of India and Ors.), and other analogous cases, has issued a direction in the following terms:-



“It shall, however, be open for the respondents to verify identity of petitioners upon material and evidence admissible in law by following the principles of natural justice. The required exercise be undertaken preferably within a period of four months from the date of presentation of certified copy of this order, as petitioners have already lost sufficient time. Based upon such consideration, the respondents shall take a fresh decision in the matter relating to grant of appointment to the petitioners.”

The learned Additional Solicitor General submits that Employment Notice No. 1 of 2011, was issued by the Chief Security Commissioner/ Railway Protection Force, North Eastern Railway, Gorakhpur, (Uttar Pradesh) for conducting centralized recruitment of constable for the R.P.F/ R.P.S.F. After completion of the selection process, the result of the selected candidates was uploaded on the North Eastern Railway website on 17.09.2014, and was also published in the newspaper on 20.09.2014, however, certain disputes erupted, leading to filing of the aforesaid writ petitions by the disgruntled candidates who were not selected, which in turn has led to passing of the aforesaid judgment dated 16.04.2018, by the learned Single Judge of the Hon’ble Allahabad High Court.

It is further submitted by the learned Additional Solicitor General appearing for the Union of India that F.I.Rs. have



been lodged by the authorities of the East Central Railway, Hajipur at Khagaul, P.S. Danapur, against the candidates who had indulged in impersonation, details whereof are given, herein below:-

S. No.	Name of the Candidates	Father's Name	Roll Number	FIR No. lodged at Khagaul Police Station, Danapur & Date	Name of the officers who file FIR	Name of the Hon'ble Court Danapur
1	Jai Hind Yadav	Mahabal Yadav	4121067703	102/2014, 06.06.2014	SIPF Jyotsana	SDJM
2	Mohan Singh Tevatia	Indrajeet Singh	4112260326	107/2014, 10.06.2014	SIPF Jyotsana	SDJM
3	Hari Om Singh	Rajvir Singh	4114039635	120/2014, 17.06.2014	SIPF Jyotsana	ACJM-5
4	Hans Raj Singh	Rajendra Singh	4114049527	129/2014, 21.06.2014	ASI Lalan Kumar Singh	SDJM
5	Manjeet	Vishwanath	4121160137	100/2014, 04.06.2014	SIPF Jyotsana	SDJM
6	Bijay Kumar Deo	Abdesh Deo	4124046342	106/2014, 09.06.2014	SIPF Jyotsana	SDJM
7	Upendra Kumar Yadav	Faujdar Yadav	4122178408	100/2014, 04.06.2014	SIPF Jyotsana	SDJM
8	Pritam Singh	Jhallu Prasad	4121161912	102/2014, 06.06.2014	SIPF Jyotsana	SDJM
9	Pintu Kumar	Brijnandan Sharma	4114204421	115/2014, 14.06.2014	SIPF Jyotsana	SDJM
10	Ashok Kumar	Preman Das	4134044420	115/2014, 14.06.2014	SIPF Jyotsana	SDJM
11	Gyanendra Babu	Ravi Chandra	4124034438	103/2014, 06.06.2014	SIPF Jyotsana	SDJM
12	Satrudhan Kumar	Jagdish Prasad	5135149441	118/2014, 16.06.2014	SIPF Jyotsana	ACJM-5
13	Jay Singh Yadav	Jagdish Prasad Yadav	4121064554	95/2014, 31.05.2014	SIPF Jyotsana	ACJM-5
14	Ramakant Rajbhar	Ram Briksha Rajbhar	5124064912	94/2014, 31.05.2014	SIPF Jyotsana	ACJM-5
15	Bhagwan Das Yadav	Ram Badan Yadav	4121064235	95/2014, 31.05.2014	SIPF Jyotsana	ACJM-5
16	Ranjan Kumar Singh	Gopal Singh	5115217136	115/2014, 14.06.2014	SIPF Jyotsana	SDJM
17	Avdhesh Kumar Yadav	Mahendra Prasad Yadav	4114026283	113/2014, 13.06.2014	SIPF Jyotsana	SDJM



18	Ashutosh Kumar Gupta	Shiv Shankar Gupta	4122080963	95/2014, 31.05.2014	SIPF Jyotsana	ACJM-5
19	Laxmi Chand Yadav	Ramdev Yadav	4122177550	97/2014, 03.06.2014	SIPF Jyotsana	ACJM-5
20	Ajit Kumar Yadav	Jhinguri Yadav	4121065791	96/2014, 02.06.2014	ASI Nasibullah	ACJM-5
21	Sandeep Kumar Dwivedi	Yamuna Prasad	5111224794	129/2014, 21.06.2014	ASI Lalan Kumar Singh	SDJM
22	Raj Kumar Yadav	Ramlal Yadav	5122288735	96/2014, 02.06.2014	ASI Nasibullah	ACJM-5
23	Rinku Kumar Yadav	Motilal Yadav	5125203865	96/2014, 02.06.2014	ASI Nasibullah	ACJM-5

It is the case of the petitioner that in the aforesaid F.I.Rs., chargesheet have been filed and the matter is pending before the learned Civil Court, Danapur. In such view of the matter, it is prayed that in order to ensure compliance of the order passed by the learned Single Judge of the Hon'ble Allahabad High Court dated 16.04.2018, the dossiers, which have been submitted before the learned Court below, are required to be obtained, whereafter, verification of the same is to be carried out by the F.S.L/ Finger Print Bureau, Mahanagar Police Headquarter, Lucknow, Uttar Pradesh, for verifying the signatures/ thumb impressions of the concerned candidates so as to ascertain their identity.

The learned counsel appearing for the respondent-State of Bihar submits that it would be appropriate that the petitioner approaches the learned Court below for the purposes of obtaining custody of the dossiers of the candidates, in question, for the



purposes of getting the same verified by the F.S.L./ Finger Print Bureau, Mahanagar Police Headquarter, Lucknow, Uttar Pradesh.

Having regard to the facts and circumstances of the case, this Court deems it fit and proper to grant liberty to the Principal Chief Security Commissioner, Railway Protection Force, North Eastern Railway, Gorakhpur, (Uttar Pradesh), to approach the learned Court below in the aforesaid cases and in case, appropriate application is made for obtaining the dossiers, for the purposes of getting the same verified by the F.S.L./Finger Print Bureau, Mahanagar Police Headquarter, Lucknow, Uttar Pradesh, the same shall be handed over to the petitioner by the learned Court below in a sealed cover, on such terms and conditions, as it may deem fit and proper to impose and for such period, as it may consider appropriate so that the dossiers are returned back untampered, in a sealed cover, after examination/ verification by the F.S.L./ Finger Print Bureau, Mahanagar Police Headquarter, Lucknow, Uttar Pradesh.

It is needless to state that the authorities of the F.S.L./Finger Print Bureau, Mahanagar Police Headquarter, Lucknow, Uttar Pradesh, upon receiving the dossiers of the concerned candidates, shall conduct the necessary verification and return the dossiers in a sealed cover to the petitioner, herein, so that



the same is returned back to the learned Court below in an untampered condition.

The writ petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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