

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10487 of 2020

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Bheemarao Bhajantri, Shetteppa Bhajantri, Resident of Katkol, Talluka-Ranadurg, District-Belagava, Karnataka-591114

... .. Petitioner/s

Versus

1. the Union of India through Ministry of Railway
2. The East Central Railway, Hajipur through its General Manager
3. The Inspector General-Cum-Chief Security Commissioner, East Central Railway, Hajipur.
4. The Nodal Officer, Recruitment of Constable (Band), East Central Railway, Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha
For the Respondent/s : Ms. Kumari Priya Ranjan, CGC

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

8 15-07-2022 Today being Friday, matters are being taken up through virtual mode, as per current procedure for hearing.

The writ petitioner has participated in the process of selection for the post of Constable (Band) in Railway Protection Force/Railway Protection Special Force in response to employment notice no. 1 of 2016 dated 11.04.2016.

The petitioner was unsuccessful in the selection process and has approached this Court alleging that he has not been selected without assigning any reasons. Though, he had been successful at the written test, trade test and was called for document verification, in the final result he has emerged unsuccessful.



The respondents have filed a counter affidavit relying upon the terms of advertisement in response to which the petitioner applied. It is pointed out that the applicants were required to apply for consideration and selection claiming to have proficiency for one instrument only, from amongst the various instruments contained in the advertisement.

The petitioner, admittedly, applied for consideration claiming proficiency and requisite experience of having played 'Clarinet' in a band. However, at the time of document verification, he has submitted an experience certificate in relation to the instrument 'Flute'. In view of the requirement specified in the advertisement, it was not open to the respondents to allow the petitioner to apply and claim proficiency in respect of one instrument, and consider certificate issued in respect of another instrument for the purpose of declaring him successful.

Copy of the two certificates, submitted by the petitioner containing two different instruments and two different periods of experience, in the same selection process, has also been enclosed as Annexure-R-5/G and Annexure-R-5/H.

This Court, having gone through the material on record and considering the submission advanced on behalf of the



petitioner, would observe that advertisement clearly specifies submission of an application along with experience certificate of two years, working in a band, and having played “one” of the several instruments listed in the advertisement.

The petitioner, admittedly, has submitted two certificates in respect of two different instruments at two different stages in the process of selection. Though, he has submitted his application claiming experience in ‘Clarinet’ and has been subjected to trade test in the said instrument, at the time of verification of documents, he has submitted experience certificate for ‘Flute’.

The petitioner has thus violated the terms of advertisement.

This Court would find no merit in the writ application and the same is dismissed.

(Madhuresh Prasad, J)

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