

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19100 of 2021

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Pitamber Kumar, Son of Sri Dharmraj Kumar, resident of Village-Hasanpur,
P.O. and P.S. and District-Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Principal Secretary, Department of Home, Govt. of Bihar, Patna.
3. The Director General of Police, Govt. of Bihar, Patna.
4. The Inspector General of Police (Head Quarter), Patna.
5. The Bihar Police Sub-ordinate Service Commission through its Secretary, Santosh Manson, B-Block, R.P.S., Raghunath Path, Danapur, Patna.
6. The Secretary, Bihar Police Sub-ordinate Service Commission, Santosh Manson, B-Block, R.P.S., Raghunath Path, Danapur, Patna.
7. The Officer on Special Duty, Bihar Police, B-Block, R.P.S., Raghunath Path, Danapur, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Maya Shankar Mishra, Advocate
For the Respondent/s : Mr. Md. Nadim Seraj (GP 5)

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 02-02-2022

This matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 Pandemic.

In the instant petition, petitioner has prayed for the following relief(s):-

“For issuance of a writ in the nature of mandamus directing and commanding the respondents to make appointment of petitioner on the post of Sub-Inspector of Police in view of advertisement No. 01/2017 issued by the respondent Commission as the petitioner has knowingly and deliberately been deprived from the said



post by the by respondent commission by playing malpractice in evaluation of main examination and further direction be issued to respondent commission to produce the OMR sheet of petitioner and answer key for proper adjudication of the case before this Hon'ble court And/or pass any other relief/reliefs in the facts and circumstances of the case."

Petitioner is a candidate for recruitment to the post of Sub-inspector of Police pursuant to Advertisement No. 01/2017. He has made application against respondent-commission stating that they had played malpractice in evaluation and further there were certain irregularities in evaluation of OMR sheet and key answers. In this regard, petitioner has not produced any material information to the extent that the Commission has committed certain irregularities. In fact, petitioner has already invoked provisions of RTI and it is under process.

In the light of these facts and circumstances, the present petition is premature unless and until material information is placed on record that *prima facie* the commission has committed irregularities in the selection process of Sub-Inspector of Police pursuant to the Advertisement No. 01 of 2017 the present petition is not maintainable. Accordingly, the present petition stands dismissed at this stage. If any material informations are available



in that event petitioner is at liberty to file fresh petition in
accordance with law.

(P. B. Bajanthri, J)

Vikash/-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

