

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23092 of 2019

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1. Rajesh Singh S/o Shri Niwash Singh Resident of Village- Lahang Dumariya, P.s.- Bihiya, Distt.- Bhojpur, Pin-802351
 2. Nagendra Yadav S/o Jawahar Yadav Resident of Village- Jhawan, P.o.- Benwalian, P.s.- Bihiya, Distt.- Bhojpur, Pin-802351

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (P), Bihar, Patna
2. The Secretary Personnel and Administrative Department, Bihar, Patna
3. The Chairman Staff Selection Commission, P.o.- Veterinary College, P.s.- Gardanibagh, Patna-14
4. The Secretary Staff Selection Commission, P.o.- Veterinary College, P.s.- Gardanibagh, Patna-14

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Kumar Mishra, Advocate
For the Respondent/s	:	Mr. Md.Nadim Seraj, GP 5
	:	Mr. Stayam Shivam Sundaram, Advocate

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

Date : 05-01-2022

The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioners have prayed for the following relief/reliefs:

“That the petitioner craves indulgence of this Hon’ble Court for issuance of an appropriate writ/writs in the nature of Mandamus for commanding the respondents to all the petitioners for driving test on the ground that they qualified in the written test and submitted the experience certificate, and the person who secured less marks were called for driving test and also on the ground that the result was not published as per the terms and conditions of the advertisement for the post of Vehicle Driver vide Advertisement No. 13010116 as contained Annexure- 1 to this petition.”



3. Pursuant to the advertisement *vide* Annexure 1 to the post of Vehicle Driver petitioners are candidates. They have not been selected on the score that they did not secure qualifying marks in the written test. The 1st petitioner whose candidature is required to be considered under GM (general merit), he has secured 39.75 % of marks whereas cut-off percentage for General Class is 40 %. Similarly the 2nd petitioner has claimed candidature under backward class and he has secured 35.25 % whereas cut-off marks under backward class category is 36.5 %. That apart experience certificate obtained by them is not relating to Government organization and they are not entitle to additional marks as they claim. For consideration of experience certificate notification relating to advertisement is very specific that work experience could be taken into consideration if a candidate has secured experience in the State Government organization. In the light of these facts and circumstances, the petitioners have not made out a case.

4. Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	07.01.2022
Transmission Date	

