

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10630 of 2015

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1. Aman Kumar S/o Ramesh Singh Resident of Village Bhawani Basa, P.O. Muran, P.S. Kishanpur Ratwara, District Madhepura.
 2. Sanam Kumar S/o Umesh Paswan Resident of Village Post Sadhua, Via Naugachia, P.S. Gopaipur, District Bhagalpur.
 3. Hirendra Kumar Gupta s/o Achche Lal Gupta Resident of Village P.O. Sadhua, P.S. Rangra Chowk, District Bhagalpur.
 4. Nageshwar Pal S/o Bijendra Pal Resident of Village P.O. Sadhua, P.S. Rangra Chowk, District Bhagalpur.
 5. Dilip Kumar Pal S/o Indra Deo Pal Resident of Village P.O. Sadhua, P.S. Gopalpur, via Naugachia, District Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Personnel, Govt. of Bihar, Patna.
3. The Chairman Central Selection Board Constable Selection, Patna.
4. The Secretary, Central Selection Board Constable Selection, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms.Shruti Sinha, Advocate
For the Respondent/s	:	Mr.
For C.S.B.C.	:	Mr. Sanjay Pandey, Advocate
	:	Mr. Binod Kr. Mishra, Advocate
	:	Mr. Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-08-2023 1. The present petition has been filed seeking the following relief :-

“(i) For issuance of an appropriate writ order or direction commanding the Respondents to appoint the petitioners on the post of constable in District



Police/B.M.P. etc. for which they have applied against Advt. No.1/2014 for appointment for the post of constables in District Police etc. and had appeared in all the tests and were successful and deserved to be appointed on the basis of merit, however their Roll numbers do not figure in the final result, which is illegal, as their certificates of Sahitya Bhusan has been recognized by the Bihar Govt. by circular dated 1991 as equivalent to Intermediate and any revocation of recognition can be done prospectively and not retrospectively which the petitioner submit as per law.“

2. At the outset, the learned counsel for the petitioners submits that as far as petitioners no. 1 and 5 are concerned, the writ petition is not being pressed, inasmuch as they have been alleged to have engaged in impersonation and an F.I.R. has been lodged. Accordingly, the present writ petition *qua* the petitioners no. 1 and 5 stands dismissed.

As far as petitioners no. 2 to 4 are concerned, the learned counsel appearing for the Central Selection Board of Constables, Bihar, Patna has submitted that as per Advertisement no. 1 of 2014, the candidates were required to



possess Intermediate pass certificate or any other equivalent educational qualification, on or before 01.01.2014, however, admittedly, the petitioners no. 2 to 4 did not possess the Intermediate (10+2) pass certificate or any other equivalent educational qualification on or before the cut-off date i.e. 01.01.2014, rather they had produced the Sahitya Bhushan Examination Certificate dated 26.03.2015, issued by Hindi Vidyapeeth, Deoghar (Jharkhand), which in any view of the matter is not recognized by the respondent- State Government, hence, admittedly the petitioners no. 2 to 4 were not possessing the requisite qualification as on the cut-off date mentioned in the advertisement, thus, their candidature has rightly been rejected in terms of Clause-17 of the Advertisement and in terms of the Application forms filled by them. It is also submitted that the selection process has been completed long back, inasmuch as the respondent- Board has sent the recommendation of successful candidates for appointment on the post of Constable to the concerned authorities vide Memo dated 26.06.2015, thus no *lis* survives for adjudication.

In view of the aforesaid, the learned counsel for the petitioners submits that the present writ petition be



disposed off.

3. Accordingly, the present writ petition stands
disposed off.

(Mohit Kumar Shah, J)

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