

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19167 of 2014

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Mahesh Prasad son of Late Vishwa Nath Prasad resident of Village Manpur,
P.S.- Manpur, District- Nalanda at Present C/o Deva Nand Mahto, Mohalla-
Bahari Begumpur, In front of Jagdeo Park, Begumpur, Patna- 800009

... .. Petitioner/s

Versus

1. The Union Of India through the Secretary, Department of Railway, Rail Bhawan, New Delhi
2. The Chairman, Railway Board, New Delhi
3. The General Manager, Western Railway, Mumbai
4. The Chairman, Railway Recruitment Cell, Western Railway, Parcel Depot, Aliboi Premji Road, Grant Road (East), Mumbai
5. The Divisional Railway Manager (E), Western Railway, Do Batti, Ratlam, Madhya Pradesh
6. The Divisional Personnel Officer, Western Railway, Do Batti, Ratlam, Madhya Pradesh

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Surya Kant Mishra, Advocate
	:	Mr. Bam Bahadur Jha, Advocate
	:	Mr. Sushil Kr. Jha, Advocate
For the Union of India	:	Mr. Praveen Kr. Sinha, Sr. Panel Counsel
	:	Smt. Shail Kumari, Central Government Counsel

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-08-2023 1. The present petition has been filed seeking the following reliefs :-

“(i) This writ application is directed against the communication of the Govt. of India in the Ministry of Railway, as contained in Memo No. RBE 104 /2013 dated 8.10.2013 issued to the General Manager/s (P), all the Zonal Railway/Production Unit with regard to acceptance of certificate/qualification awarded by Bihar Sanskrit Shiksha Board for



the purposes of employment in Railway, whereby the certificate issued by the Bihar Sanskrit Shiksha Board (here-in-after referred to as the Board) has arbitrarily been declared valid from 5.10.12 and thus a candidate who passed the Madhyama Examination from Bihar Sanskrit Shiksha Board prior to the said date has arbitrarily been declared not eligible for the purposes of recruitment /engagement etc, though crossed all the processes of selection on the basis of the Employment notice no. 2/12.

(ii) For issuance of writ in the nature of Mandamus commanding the respondents to accept the Madhyama Certificate issued by the Bihar Sanskrit Shiksha Board which is creation of the State legislature under Bihar Sanskrit Shiksha Board Act.

(iii) This application is also being filed against the communication of the Railway recruitment cell, contained in letter no.1484 dt, 26. 8. 14, whereby the candidature of the petitioner has been cancelled on the ground of the impugned Government of India letter dt. 8.10.13, whereby Madhyama Certificate issued by the Bihar Sanskrit Shiksha Board has been declared valid w.e.f. 8.10.12, whereas the petitioner passed the Madhyama Examination in 2003.



(iv) This application is also being filed to accept the Madhyama Certificate of the applicant who passed by Madhyma Examination 2003 from Bihar Sanskrit Shiksha Board, a statutory Board of the Government of Bihar created under Bihar Sanskrit Shiksha Board 1981.”

2. After some arguments, the learned counsel for the petitioner submits that with the efflux of time, the present writ petition might have been rendered infructuous, however, in case, the petitioner is interested, he be granted liberty to approach the respondent authorities for redressal of his subsisting grievances, if any. Liberty so sought, is granted.
3. The writ petition stands disposed off as not pressed.

(Mohit Kumar Shah, J)

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