

Rajesh Kumar Rai @ Rajesh Kumar Roy Son Of Shailesh Kumar Rai
Resident Of Village - Nyaipur, Police Station - Buxar Muffasil, District -
Buxar

Versus

1. The State Of Bihar and Ors
2. The Chairman, Central Selection Board Constables Recruitment, Computer Bhawan, Jawaharharlal Nehru
3. The Secretary, Central Selection Board Constables Recruitment, Computer Bhawan, Jawaharharlal Nehru M
4. The Director General Of Police, Bihar, Patna
5. Principal Secretary, Home Department Police, Bihar

... .. Respondent/s

For the Petitioner/s	:	Mr. Bindhyachal Singh, Adv. Ms. Nikita Mittal, Adv.
For the State	:	Mr. Dhurjati Kr Prasad, GP 14 Mrs. Jahan Ara, AC to GP 14

ORAL ORDER

3 02-02-2023 1. Learned counsel for the petitioner is unable to
assess the Court as his file is misplaced, however, this Court has
refused to adjourn the matter as the case is pending since 2013.

2. Learned counsel for the respondents has pointed out that the posts were advertised in a separate quota for home guards as under the home guards category there was no distinction drawn with regard to different categories. The petitioner secured 186 marks in the merit whereas the cut-off for the home guards was 189.



3. In view thereof, the petitioner could not fair well and was unsuccessful to fall in merit. The writ petition filed after having being unsuccessful in the selection is otherwise also not maintainable.

4. I have considered the submission, the petitioner admittedly does not fall in merit as he has scored less than the cut-off marks meant for the category of home guards. His claim that there should be reservation *inter se* between the home guards is and after thought after having participated in the selection process such a claim could not be laid as a person could not be allowed to aprobate and reprobate at the same time.

5. In view thereof, the writ petition is misconceived and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Suraj/-
Item No. 34

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