

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11723 of 2021

Pradeep Kumar Son of Sri Amrit Mahto Resident of Village- Dhanama, Post
Office- Muriyar, Police Station- Chandradeep, District- Jamui.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Bihar, Patna.
2. The Director General of Police Bihar, Patna.
3. The Chairman Central Selection Council, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar Singh, Advocate
For the State	:	Mr.Manish Kumar (Gp 4)
		Mr.Sanjay Parasmani, AC to GP-4
For CSBC	:	Mr.Sanjay Pandey, Advocate
		Mr.Binod Kr. Mishra, Advocate
		Mr.Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 30-11-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. That this is an application on behalf of the petitioner for issuance of a writ/ writs or direction/direction or order/orders in the nature of mandamus, upon the respondents to select the petitioner for appointment on the post of constable in view of the Advertisement No. 01/2017 for which the Examination was conducted by Central Selection Council, Bihar, Patna in which the petitioner competed successfully in written as well as physical test but his candidature has been cancelled at the stage of Final Result.”

2. At the outset, the learned counsel for the



respondent-Central Selection Board of Constable, Bihar, Patna has submitted by referring to paragraph no.14 to 16 of the counter affidavit, filed in the present case that though the petitioner had applied under the Extremely Backward Class category but he could not produce the certificate with regard to the same at the time of Physical Evaluation Test held on 06.03.2018, rather he produced a certificate showing him to be belonging to the Backward Class category, hence he was disqualified on account of “Category Mismatch”. It is also submitted that similar issue has already been decided in one another writ petition bearing CWJC No.1953 of 2011, which has stood dismissed by an order dated 12.07.2011, passed by a co-ordinate Bench of this Court and the said order dated 12.07.2011 has also been affirmed by the learned Division Bench by a judgment dated 10.01.2013, passed in LPA No.1276 of 2012, reported in 2013 (4) PLJR 1, hence it is submitted that the present writ petition is devoid of any merit, thus is fit to be dismissed.

3. At this juncture, the learned counsel for the respondents has also relied upon a judgment, rendered by this Hon’ble Court in the case of **Jyoti Jaiswal Vs. The State of Bihar and Ors.**, reported in **2021 (3) PLJR 489** to submit that



this Hon'ble Court has held that in case of category mismatch, the action of the respondents in disqualifying the candidature of the applicant suffers from no infirmity.

4. The learned counsel for the petitioner has not refuted the aforesaid aspect of the matter.

5. Having regard to the facts and circumstances of the case and considering the law laid down by this Court, as aforesaid, I do not find any merit in the present writ petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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