

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9577 of 2023

1. Saroj Kumar Son of Indrajeet Ram, Resident of Village- Madhuban, P.O.- Bakhra, P.S.-Saraiya, District- Muzaffarpur (Bihar).
2. Suraj Kumar Son of Heera Sharma, Resident of Village - Kanpa, P.O.- Saidabad, P.S.- Ranitalab, District- Patna (Bihar).
3. Risheekesh Kumar Son of Krishna Saw, Resident of Village Nagarnausa, PO-Nagarnausa, P.S-Nagarnausa, District-Nalanda (Bihar).
4. Raju Kumar Ram Son of Lalan Ram, Resident of Village- Khairi, P.O.- Barahuti Kala, P.S.- Kochas, District- Rohtas at Sasaram (Bihar).
5. Raj Kumar Son of Marchhu Pandit, Resident of Village-Chauhar, P.O.- Anandpur, P.S.-Karpi, District-Arwal (Bihar).
6. Chandan Kumar Tiwari Son of Ramesh Tiwari, Resident of Village-Patadhi, P.O.-Nad, P.S.-Shivsagar, District- Rohtas at Sasaram(Bihar).
7. Arun Kumar Son of Sitaram Yadav, Resident of Village- Parsan Bigha, P.O.- ShahrTelpa, P.S.-Karpi, District-Arwal (Bihar).
8. Kundan Kumar Son of Shivshankar Prasad, Resident of Village-Shawajpur, P.O.-Bhikhanpur, P.S.-Ahiyapur, District- Muzaffarpur (Bihar).
9. Uttam Paswan Son of Mahendra Paswan, Resident of Village-Dharampur, P.O.-Vishwambharchak, P.S.-Amarpur, District-Banka (Bihar).
10. Pankaj Kumar Son of Vipat Ray, Resident of Village-Kalyani, PO-Harkhuli, P.S. Gayghat, District-Muzaffarpur (Bihar).
11. Hiriday Lal Singh Son of Krishna Singh, Resident of Village-Chitauli, P.O.- Ramdihra, P.S.-Rohtas, District-Rohtas at Sasaram (Bihar).
12. Rahul Kumar Son of Sunil Kumar, Resident of Village-Uphraul, P.O.- Bakhra, P.S.-Saraiya, District-Muzaffarpur (Bihar).
13. Amresh Kumar Son of Subhash Das, Resident of Village-Berka, P.O.- Dardha, P.S.-Goh, District-Aurangabad (Bihar).
14. Praveen Kumar Jha Son of Raj Kumar Jha, Resident of Mohalla- Ward No. 10, Pilakhwar, P.O. and, P.S.-Pilakhwar, District-Madhubani (Bihar).
15. Lakshmi Kumar Manjhi Son of Kishan Manjhi, Resident of Village-Jethiyahi, P.O.- Parjuar, P.S.- Arer, District- Madhubani (Bihar)
16. Dileep Kumar Son of Ramadhar Prasad Yadav, Resident of Village- Agarwa, P.O.-Bijbani, P.S.- Jitna, District- East Champaran (Bihar).
17. Sadhu Paswan Son of Vishwanath Paswan, Resident of Village Kalyani, P.O.-Harkhauli, P.S-Harkhauli, District- Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The Union of India through the Chairman, Staff Selection Commission, Govt. of India, Block no. 12, Central Office Campus, Lodhi Road, New Delhi.
2. The Chairman, Staff Selection Commission, Govt. of India, Block no. 12,



Central Office Campus, Lodhi Road, New Delhi.

3. The Director, Staff Selection Commission, Govt. of India, Block no. 12, Central Office Campus, Lodhi Road, New Delhi.
4. The Regional Director, (Central Region), Staff Selection Commission, Govt. of India, 21-23, Lowther Road, Allahabad (U.P.)-211002.
5. The Deputy Director, (Central Region), Staff Selection Commission, Govt. of India, 21-23, Lowther Road, Allahabad (U.P.)-211002.
6. The Director General, Directorate General, CRPF (Recruitment Branch), Ministry of Home Affairs, East Block No.7, R.K Puram, New Delhi.
7. The Deputy Inspector General (Recruitment), CRPF, Ministry of Home Affairs, East Block No.7, R.K Puram, New Delhi.
8. The Commanding Officer, Central Region, New Delhi.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Nityanand Mishra, Adv.
For the Respondent/s : Mr.Tuhin Shankar, CGC
Mr.Alok Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-12-2023 1. The present writ petition has been filed seeking the following relief(s):-

“1. (i) That by this writ application the petitioners pray for issuance of direction commanding and directing the respondents to issue Mandamus to the respondent no. 1 and 4 of the petition for selection and appointment for the post of constable (General Duty) in Border Security Force (BSF), Central Industrial Security Force (CISF), Central Reserve Police Force (CRPF), Indo Tibetan Border Police (ITBP), Sashstra Seema Bal (SSB), National Investigation Agency (NIA) and Secretariat Security Force (SSF) and Rifleman (General Duty) in Assam Rifles as per the Recruitment Scheme formulated by the Ministry of Home Affairs



"Constable (GD) in "CAPFs, NIA & SSF and Rifleman (GD) in Assam Rifles Examination, 2018" and as per the Memorandum of understanding signed between Ministry of Home Affairs and the staff selection Commission on the basis of the condition of Note II of the Advertisement published and issued in Rojgar Samachar dated- 21.07.2018 where it is stated "10% vacancies are earmarked for ex-serviceman, If suitable ex-serviceman candidates are not available, vacancies reserved for Ex-servicemen will be filled by non-ex-servicemen candidates of respective categories," for which these petitioners have filed the present writ application to get their appointment for those posts.

(ii) For further directing/commanding the respondent concerned to consider their age as most of the petitioners age is above 23 years and they will not be eligible for these posts which is fixed between 18 to 23 years.

(iii) For further directing/commanding the respondent concerned, It may also be taken into consideration that all the petitioners are successful candidate for the posts above mentioned and the vacancies is still existing, hence the petitioners may be given opportunity for their appointment and joining as in the process 3 years have been lapsed.

(iv) The petitioners further pray for direction that in the Advertisement it is stated that 10% of the posts will be reserved for ex-servicemen, whereas the 10% is not correctly evaluated with the general



posts.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

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