

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1295 of 2018

1. Uday Kumar and Ors S/o Munna Ray R/o Village Vishwapur, P.O. Madhurapur, P.S. Bidupur, Distt. - Vaishali , Roll No. 3205005763
2. Raja Kumar S/o Sanjeev Ray R/o Village Anwarpur, P.O. Paura, P.S. Sarai, Distt.- Vaishali , Roll No. 3205027636
3. Ajeet Kumar S/o Vishwanath Singh R/o Village Chandpura, , Saidabad, P.O. Mohanpur, P.S. Bidupur, Distt. Vaishali , Roll No. 3205038402
4. Pranav Kumar S/o Lalan Prasad Rai R/o Village Bihwarpur, P.S. Bidupur, P.S. Madhurapur, Roll No. 3205059808
5. Chandra Bhushan Kumar S/o Upendra Ray R/o Village Shitalpur Karkarahata, P.O. Dhobauli, P.S. Bidupur, Distt. Vaishali , Roll No. 3206134179
6. Shambhu Kumar S/o Upendra Ray R/o Village Shitalpur Karkarahata, P.O. Dhobauli, P.S. Bidupur, Distt. Vaishali , Roll No. 3205063080

... .. Petitioner/s

Versus

1. The Union Of India
2. The Staff Selection Commission CR and A.B. Beli Road, Allahabad.
3. The Region Director , Staff Selection Commission CR, Allahabad.
4. The Deputy Regional Director, Staff Selection Commission CR, Allahabad.
5. The Inspector General Staff Selection Commission CR, Allahabad Recruitment of Constable GD in CI
6. The Under Secretary Govt. of India Staff Selection Commission Department of Personnel and Training
7. The Deputy Secretary ,Govt. of India Staff Selection Commission, Department of Personnel and Training, CGO complex, New Delhi 11003

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar
For the Respondent/s : Mr. Manoj Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-01-2023 Heard the parties.

The petitioners have filed this writ petition for
following reliefs:-



“i. To direct the respondent authority to issue the appointment letter in favour of the petitioners on the basis of merit prepared by the selection unit by which the petitioners passed the entire test of selection but lesser marks candidate has been appointed.

ii. To further direct the respondent authority to appoint the petitioners on the post of GD Constable.

iii. For issuance of an appropriate writ (s), order (s), direction (s) for any other relief (s) as your lordship may deem fit and proper in the fact and circumstances of the case.”

It is submitted on behalf of the petitioners that the petitioners appeared in the Physical Test, Written Examination and also in the Medical Test for recruitment to the post of Constable in CAPFs, NIA & SSF and Rifleman (GD) in Assam Rifles Examination, 2015 and they were declared successful but persons having lesser marks than the petitioners have been appointed and the case of the petitioners has not been considered.

Counter affidavit has been filed on behalf of the respondents- Staff Selection Commission.

It is submitted on behalf of the respondents that no candidate having lesser marks than the petitioners has been



appointed. It is further submitted that as per marks list and write up dated 06.02.2017, the marks obtained by the petitioners were less than the marks obtained by the last selected candidate of his respective category and the petitioners failed to find place in the list of recommended candidates due to their low merit in their respective category (Annexure-R2/1 of the counter affidavit), hence, the question of recommending the names of the petitioners for appointment to the post of Constable (GD) does not arise and this writ petition is liable to be dismissed at the admission stage itself.

Learned counsel for the petitioners has not disputed or denied the aforesaid contention of the respondents by filing any reply to the counter affidavit.

Having heard the submission of the parties and on going through the records, this court finds no merit in this writ petition and the same is, accordingly, dismissed.

(Prabhat Kumar Singh, J)

BKS/-

U			
---	--	--	--

