

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3771 of 2020

1. Deepak Kumar Singh, Son of Ganesh Prasad Singh, resident of Village- Shiv Nagar, P.S. Balua Bazar, P.O.- Sanskrit Nirmali, District- Supaul PIN Code- 854339.
2. Vijay Kumar, Son of Mankeshwar Paswan, resident of Village- Parwaha, P.S. Balua Bazar, P.O.- Sanskrit Nirmali, District- Supaul PIN Code- 854339.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Director General of Police, Bihar, Patna.
3. The Additional Chief Secretary, Home Department (Constable Branch), Bihar, Patna.
4. The Additional Chief Secretary, Environment, Forest and Climate Revolution Department, Bihar, Patna.
5. The Principal Chief Forest Custodian, Bihar, Patna.
6. The Chairman, Central Selection Board (Constable Recruitment), Bihar Sardar Patel Bhawan sixth Floor, Block- A/626, Jawahar Lal Nehru Marg, Patna- 23.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Mrityunjay Kumar, Adv.
For the State	:	Mr. P.K.Verma (AAG-3)
		Mr. Saroj Kumar Sharma (AC to AAG-3)
For CSBC	:	Mr. Sanjay Pandey, Adv.
		Mr. Binod Kumar Mishra, Adv.
		Mr. Vivek Anand Amritesh, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 12-01-2024 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Central Selection Board (Constable Recruitment), Bihar, Patna.

2. The present writ petition has been filed for direction for a re-medical test of the petitioners who were selected on the post of Forest Guard in the department of Environment, Forest and Climate Revolution Department, Bihar



Government, Patna in the light of advertisement no. 01/2019 dated 31.12.2018 annexed as Annexure-3.

3. Learned counsel for the petitioners submits that the petitioners were found unfit to be selected on the ground of '*knock knee*'. Counsel also submits that the petitioners have appeared in the said examination by virtue of advertisement no. 01/2019 dated 31.12.2018 published in the daily newspaper and appeared in the examination conducted by the Central Selection Board (Constable Recruitment), Bihar, Patna in which they appeared in written examination on 16.06.2019. The petitioner nos.1 and 2 have granted different roll numbers and they appeared in the examination and subsequently, passed the written test examination. Thereafter, they appeared in PET examination and in the said PET examination, they have also selected, but in the medical test, the petitioner no.1 who appeared on 19.10.2019 and petitioner no.2 who appeared on 20.10.2019, they were found defective in '*knock knee*'. Counsel has made allegation that the petitioners have been declared '*knock knee*' under a conspiracy and they alleged the allegation of irregularity in the said medical examination.

4. Learned counsel for the Central Selection Board (Constable Recruitment), Bihar, Patna submits that medical test



has been conducted by a committee and not by any individual. Counsel further submits that the petitioners were found unfit in the said medical test and process of recruitment has already been closed in the year 2019 itself.

5. In response, counsel for the petitioners further requests and submits that there is only '*mild knock knee*' to the petitioners whose treatment is possible and second medical test may be directed to be conducted.

6. Upon going through the pleadings, the only question which has to be taken into consideration is the report of Medical Committee for the purpose of selection in which the petitioners were found unfit on the ground of '*knock knee*'.

7. This Court is of the view that the selection process is common for all the candidates and some candidates were declared unfit and some candidates were declared fit and merely by making allegations, this Court is not inclined to interfere in the decision taken by the Medical Board.

8. Accordingly, with the aforesaid observations, this writ petition is hereby dismissed.

(Dr. Anshuman, J.)

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