

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24278 of 2018

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Bikesh Kumar Singh Son of Harendra Singh Resident of Village-P.O.-
Swetapur-Via-Mairwa, P.S.-Mairwa, District-Siwan.

... .. Petitioner/s

Versus

1. The Union Of India through its Principal Secretary, Department of Home,
Government of India, New Delhi.
2. The Chairman, Staff Selection Commission, Central Region (Karamchari
Chayan Aayog-Madhya Kshetra).
3. The Deputy Inspector General, Sector Headquarter, SSb, Purnea, Bihar.
4. The CMO (SG), MET, Staff Selection Board, Purnea.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Tej Bahadur Singh, Sr. Advocate Mr. Brisketu Sharan Pandey, Advocate
For Union of India	:	Mr. Ram T. Singh, Advocate
For the SSC	:	Mr. Radhika Raman, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 15-04-2024

Heard learned Senior Counsel for the petitioner,

learned counsel for the SSC and learned counsel for the Union

of India.

2. The present writ petition has been filed for the

following reliefs:-

(i) For issuing writ of mandamus and thereby

directing the respondents to consider the petitioner for

appointment against the post of Constable (General Duty) in



furtherance to the selection process conducted for selecting constable under general duty (G.D.) in Central Armed Police Force (CAPF - G.D.).

(ii) For quashing the result (Annexure-P-4) of the recruitment of constable G.D. in BSF, CISF, CRPF and SSB 2011 to the extent that the petitioner has been declared unfit in the medical result.

(iii) Further the respondents may be directed to produce the file in relation to the selection of the petitioner with a view to examine the documents submitted by the petitioner during the screening process, the medical certificate submitted by the petitioner during the selection process.

(iv) Further the Hon'ble Court may be pleased to hold that it was illegal on the part of the respondents to deny appointment of the petitioner against the post of Central Armed Police Force (CAPF)- Constable (G.D.) for which he has cleared written test, physical examination test, screening test and have furnished all the documents; on the ground of Medical Fitness ignoring the fact that the petitioner had submitted medical fitness certificate within time.

(v) For any other relief or reliefs for which the petitioners are found entitled in the facts and circumstances of



the case.

3. Learned counsel for the petitioner submits that petitioner was found medically unfit in the selection process but opportunity was intimated that he may prefer appeal. Counsel submits that he has preferred appeal but no communication has been made with regard to decision on appeal. Counsel for the petitioner submits that when he has preferred the writ petition before this Hon'ble Court, then only in the counter affidavit the respondent came with the stand that his appeal has already been rejected due to the reason that he has made draft in different name. Counsel for the petitioner submits that at least the respondent must have to intimate the petitioner about his memo of appeal.

4. Learned counsel for the Union of India submits that counter affidavit has been filed and stand has been taken that the petitioner was found medically unfit and opportunity was granted to him to prefer appeal. He preferred appeal but he has submitted bank draft in the name of other person. Due to this reason his appeal was rejected.

5. It transpires to this Court that the writ petition has been filed by the petitioner in the year 2018, i.e., after delay of about seven years. Only due to the reason of filing the writ



petition delayed, this Court is not inclined to entertain it and,
therefore, this writ petition is dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.04.2024
Transmission Date	NA

