

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4500 of 2012

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Sanjay Kumar Yadav Son of Bharat Yadav, Resident of Village- Javahi, P.S.-
Brahmpur, District- Buxar.

... .. Petitioner/s

Versus

1. The Union of India and Ors.
2. Director, Staff Selection Commission, New Delhi.
3. Deputy Director, Staff Selection Commission, Control Area 8 A/B Beli
Road, Allahabad, U.P.
4. Chairman MET Central SHQ, S.S.B., Muzaffarpur, Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rang Nath Choubey, Advocate
For SSC	:	Mr. Manoj Kumar Singh, Advocate
For UoI	:	Mr. Tuhin Shankar, CGC

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-01-2024 Heard the learned counsel for the petitioner, the

learned counsel appearing on behalf of the Staff Selection

Commission and the learned counsel appearing on behalf of

the Service Selection Board, Muzaffarpur.

2. The present writ application has been filed for
quashing the order dated 21.08.2011, passed by respondent
no. 4, whereby the respondent no. 4 has refused to take
medical examination test of the petitioner because the
petitioner did not appear on the due date, i.e., on 14.08.2011
for the same.

3. Learned counsel for the petitioner submits that

the petitioner has applied for appointment on the post of 'constable' in Central Industrial Security Force (CISF, GD) and he had qualified the written examination as well the physical test conducted by the Respondent Staff Selection Commission (Hereinafter referred to as 'SSC'). Accordingly, a letter was issued in favour of the petitioner to appear before the Medical Board on 14.08.2011, but the petitioner did not appear before the Medical Board on the due date, i.e., on 14.08.2011 and thereafter, the petitioner has approached the Respondent No. 3 to consider his case and direction may be issued for the re-medical examination of the petitioner.

4. Learned counsel for the respondents have filed a respective counter-affidavit and submit that pursuant to the letter issued for medical examination, petitioner was required to appear on 14.08.2011, but he had appeared for the medical examination test at SHQ, SSB, Muzaffarpur, Bihar on 21.08.2011 and according to the guideline mentioned in para no. 6 of the admit card issued by the SSC, Allahabad, the petitioner had been informed through the admit card that he is required to appear on the due date, and if he did not appear on the due date, the case of the petitioner could not be entertained. In view of the aforesaid, the case of the petitioner

is not considered by the respondents.

5. It appears that the respondents have rightly not considered the case of the petitioner because the petitioner did not appear on the due date, i.e., on 14.08.2011 and as per instruction mentioned in the admit card, the petitioner is required to appear on the due date and admittedly, he appeared on 21.08.2011, so the respondents were right in not conducting the medical examination of the above-mentioned petitioner.

6. Accordingly, this writ petition stands disposed of.

(Rajesh Kumar Verma, J)

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