

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11360 of 2012

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1. Nishu Kumari And Ors Wife Of Shri Ramashish Singh Resident Of Village- Bali, P.O.- Apshar, P.S. Kashichak, District- Nawada, Roll No. 650700041, Application No. 59458860
 2. Ranjay Kumar S/O Mahendra Yadav Resident Of Village- Lemubua Per, P.O.- Bouri, P.S. Kashichak, District- Nawada, Roll No. 65081277, Application No. 5360552
 3. Lakshman Kumar Son Of Rajendra Sao Resident Of Village- Kochgaon, P.S. Warisaliganj, District- Nawada, Roll No. 65081029, Application No.

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Chief Secretary, Government Of Bihar, Patna.
2. The Central Selection Board Constable Recruitment Bihar, Patna, Through Its Secretary
3. The Chairman Of The Central Selection Board Constable Recruitment Bihar, Patna
4. The Secretary Of The Central Selection Board Recruitment Bihar, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Satyendra Narayan Singh, Advocate
For the C.S.B.C.	:	Mr. Sanjay Pandey, Advocate
	:	Mr. Binod Kumar Mishra, Advocate
	:	Mr. Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 26-02-2024

Learned counsel for the petitioner submits that during the pendency of the writ petition, petitioner nos.1 & 2 has been given the appointment letter by the authority concerned, and as such, this writ petition becomes infructuous with respect to petitioner nos.1 & 2. Accordingly, learned counsel for the petitioner seeks permission to withdraw this writ



application with respect to petitioner nos.1 & 2.

2. Permission is accorded.

3. This writ petition is dismissed as withdrawn as having become infructuous with respect to petitioner nos.1 & 2.

4. Heard Mr. Satyendra Narayan Singh, learned counsel for the petitioner no.3 and Mr. Sanjay Pandey, learned appearing on behalf of the Board.

5. Learned counsel for the petitioner submits that the petitioner has not been selected due to mismatch in the caste certificate. He further submits that due to inadvertently he has mentioned in the application form B.C. category but in fact, the petitioner belongs to the E.B.C. category and due to mismatch in the caste certificate, the candidature of the petitioner was rejected. Learned counsel for the petitioner submits that due to minor fault in filling up the form the petitioner has been debarred from the selection process, in fact the petitioner has participated in the selection process and he has cleared the physical examination, written examination as well as he also participated in the document verification process. He further submits that during the document verification it was found that the petitioner belongs to the E.B.C. category but in the application form he has mentioned B.C. category. So, the Board



has rejected the candidature of the petitioner on the ground of mismatch of the caste certificate.

6. Learned counsel for the petitioner relies upon the judgment of the Division Bench of the Hon'ble High Court in the case of ***BPSC & Others Vs. Ajit Kumar as reported in 2017 (1) PLJR 145*** and the judgment of the Hon'ble Apex Court passed in the case of ***Vashist Narayan Kumar Vs. The State of Bihar & Ors. as reported in 2024(1) PLJR 203.***

7. He further submits that in view of the aforesaid, lenient view may be taken up by this Court and directions may be issued to the concerned respondent to consider the case of the petitioner.

8. Learned counsel for the Board has filed a detailed counter affidavit stating therein that the present selection process was of the year, 2009 and after a number of litigation finally in pursuance of the order dated 12.08.2014 passed in C.W.J.C. No. 15487 of 2011, thereafter the Board and State has challenged the same in L.P.A. No. 500 of 2016 which was dismissed by the Division Bench of this Hon'ble Court thereafter the result has been published of altogether 1308 candidates and the petitioner was not found figure in the list of eligible candidates on the ground that his caste certificate did not



match.

9. It is admitted fact that the petitioner has mentioned in the application form as B.C. category and in fact he belongs to E.B.C. category. So, the Board has rightly rejected the candidature of the petitioner due to mismatch in the caste certificate.

10. There is no merit in the writ petition.
Accordingly, the same is dismissed.

(Rajesh Kumar Verma, J)

ajay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	02.03.2024
Transmission Date	NA

