

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4570 of 2020

1. Chandan Kumar Son of Dinesh Singh, Resident of Unchapar, Pashimi Pandarak, P.S. and P.O.-Pandarak, District-Patna, Bihar-803221.
2. Ashok Kumar, (Dismissed V/o dt. 02.12.2025) Son of Late Ramprit Prasad, Resident of Gopikita, P.O. and P.S.-Pandarak, District-Patna, Bihar-803221.

... .. Petitioner/s

Versus

1. The Additional Chief Secretary, Government of Bihar, Patna.
2. The Chairman, Selection Committee (Distinguish Sportsman), through the Principal Secretary, Department of General Administration, Government of Bihar, Patna
3. The Principal Secretary, Department of General Administration, Government of Bihar, Patna
4. The Joint Secretary (Establishment), Department of General Administration, Government of Bihar, Patna.
5. The Under Secretary, General Administrative Department, Government of Bihar, Patna.
6. The Principal Secretary, Art Culture and Youth Department, Government of Bihar, Patna.
7. The Director General, Bihar Sports Authority, Bihar, Patna.
8. The Government of India, Ministry of Youth Affairs and Sports.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Advocate Mr. Rajesh Kumar, Advocate
For the Respondent/s	:	Mr. Md. Irshad, A.C. to S.C.1

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

C.A.V. JUDGMENT

Date : 22-12-2025

Heard Mr. Rama Kant Sharma, learned Senior
counsel assisted by Mr. Rajesh Kumar, learned counsel for the



petitioners and Mr. Md. Irshad, learned counsel for the respondents.

2. The petitioners have filed the instant application for the following relief(s):

“a) To direct the respondents for considering the candidature of the petitioners and further appoint them on the sanctioned post considering their documents.

b) Issue any other further order/orders or direction/directions as this Hon’ble Court may deem fit and appropriate on the facts and in the circumstances of this case.”

3. The case so far as petitioner no.2 Ashok Kumar is concerned, the same having been dismissed as not pressed by order dated 2.12.2025, the word ‘petitioner’ hereinafter used in the present order refers to petitioner no.1 Chandan Kumar only.

4. The case of the petitioner is that the General Administration Department, Government of Bihar came out with an advertisement on 25.6.2015 inviting applications for appointment of outstanding sportsperson of Group C and Group D posts. The petitioner being a wrestler and having participated in various wrestling championships conducted under the Wrestling Federation of India also filed an application and submitted photocopies of his participation certificates.

5. It is submitted by learned Senior counsel appearing for the petitioner that without any notice or having been given a



chance to explain, an FIR being Sachivalaya P.S. Case no.34 of 2019 was registered on 30.1.2019 against the petitioner under sections 420, 467, 468, 471 and 34 of the Indian Penal Code. The same was on the allegations that one of the certificates submitted by the petitioner was not found to be genuine.

6. It is submitted by learned Senior counsel appearing for the petitioner that only two seats are available in the wrestling quota and the petitioner is eligible to be selected and appointed on one of them. Referring to the certificates deposited by the petitioner, it is submitted that at the time of submission of his application, the petitioner had submitted the certificates for 56th Senior (Men) Free Style Greco Roman Style National Wrestling Championship ('56th National Wrestling Championship' in short) as also 58th and 59th championships. All these certificates were counter signed by the petitioner.

7. Learned Senior counsel appearing for the petitioner submits that though the petitioner had not submitted the certificate of 57th National Wrestling Championship, an enquiry was conducted by the respondents from the Wrestling Federation of India and on their response that the same was not genuine, the application of the petitioner was rejected and an FIR registered against him. It is categorically asserted that



neither the petitioner submitted the so called certificate of 57th National Wrestling Championship and it is for this reason that the same has not been counter signed by him.

8. Learned Senior counsel for the petitioner further submits that subsequently the respondents came out with a corrigendum on 21.12.2015 with respect to the original advertisement dated 25.6.2015. Pursuant thereto, the petitioner submitted his application, this time along with the copy of his certificate of having participated in the 60th National Wrestling Championship. A copy of the letter enclosing the participation certificate of the petitioner with respect to 60th National Wrestling Championship was received by the respondents on 11.1.2016, the last date for receipt of the application as per the corrigendum being 15.2.2016. It is thus submitted by learned Senior counsel that the petitioner having participated for three continuous years ie 58th, 59th and 60th National Wrestling Championship, even as per the respondent's case there being no dispute with respect to the certificates brought on record by the petitioner and specially the petitioner not having to do anything with the certificate of 57th National Wrestling Championship which was not produced by him, the respondents have acted illegally in not appointing the petitioner on Group C or Group D



post. It is thus submitted that appropriate directions be given to the respondents to appoint the petitioner on a suitable post and the writ application be allowed.

9. The application is opposed by learned counsel appearing for the respondents. It is submitted in reference to Clause 2(*gha*) of the advertisement dated 25.6.2015 that for appointment against the said post meant for outstanding sportsperson, the candidate was required to have secured 1st, 2nd or 3rd position in a National Senior Championship while representing his State or should have participated, representing the State of Bihar for three consecutive years.

10. Learned counsel for the respondents submits that on the petitioner having filed his application, the certificates were sent for verification to the Wrestling Federation of India from where a report was received about the certificate of the petitioner with respect to the 57th National Wrestling Championship not being genuine. This lead to registration of the FIR against the petitioner and the respondents could not consider the candidature of the petitioner for appointment against sports quota.

11. With respect to the petitioner furnishing the certificate of having participated in the 60th National Wrestling



Championship, learned counsel for the respondents submitted that so far as the corrigendum dated 21.12.2015 is concerned, the same was only for those persons whose names did not figure in the applicants provisional merit list. As the name of the petitioner figured therein, he could not refile nor file a fresh application. It is submitted that one of the certificates of the petitioner having been found to be forged, there is no merit in the instant writ application and the same be dismissed.

12. Heard learned counsel for the parties and perused the material on record.

13. The relevant facts in brief are that on the respondent-General Administration Department, Government of Bihar having come out with an advertisement dated 25.6.2015 for appointment of outstanding sportsperson on Group C and Group D posts, the petitioner filed his application enclosing with the same copies of his participation certificate of having participated in the National Wrestling Championships.

14. As per the case of the petitioner, he submitted his participation certificates of 56th, 58th and 59th National Wrestling Championship and not for the 57th National Wrestling Championship. It may be observed here itself that as required by Clause 2(*gha*) of the advertisement dated 25.6.2015, the



candidate was required to have participated for the State of Bihar in a National Championship for three consecutive years. If the stand of the petitioner is accepted, having participated in the 56th, 58th and 59th National Championships, the petitioner would not have qualified, not having satisfied the requirement in terms of Clause 2(*gha*).

15. So far as production of the participation certificate with respect to the petitioner having participated in the 60th National Wrestling Championship is concerned, the petitioner claims to have submitted the same along with his letter dated 11.1.2016 (Annexure P/1 to the second rejoinder on behalf of the petitioner) received by the respondents on the same day. With respect to the letter, it may be observed that there is no mention in the letter of the certificate for the 60th National Wrestling Championship having been enclosed with the said letter nor is there any averment in the affidavit to that effect. Even the application dated 11.1.2016 only states that the petitioner wants to submit his certificate of having participated in the Championship of 2015.

16. Further stand of the petitioner is that pursuant to the respondents come out with a corrigendum dated 21.12.2015 extending the date for refiling of application till 15.2.2016 that



the petitioner filed his certificate of participation in the 60th National Wrestling Championship along with his application on 11.1.2016. It may be observed here that it is not in dispute that pursuant to the petitioner having filed his application against advertisement dated 25.6.2015, the petitioner's name figured in the provisional merit list. Thus, in these circumstances, as per Clause 4 of the corrigendum dated 21.12.2015, the petitioner could not have refiled his application.

17. As to whether the petitioner submitted the certificate of his participation in the 57th National Wrestling Championship which was found to be forged or not, in the opinion of the Court, may be a disputed question of fact. While the respondents claim the same to have been filed along with the application, the stand of the petitioner is that while all the certificates filed by him were counter signed by the petitioner, the certificate of the 57th National Wrestling Championship is not counter signed as the same was not filed by the petitioner. Accepting the stand of the petitioner for the sake of argument and in case the respondents had not come out with the corrigendum which they came out with only on 21.12.2015, the certificates filed by the petitioner were only of 56th, 58th and 59th National Wrestling Championship. Thus, the petitioner would not have certificates



of participation in three consecutive Championships as required under Clause 2(*gha*) of the advertisement dated 25.6.2015.

18. On filing of the application, the respondents sent the certificates to the Wrestling Federation of India for their verification. The response received from the Assistant Secretary, Wrestling Federation of India by his letter dated 26.9.2018 addressed to the Under Secretary, General Administration Department was to the effect that the petitioner had participated in the 56th, 58th and 59th National Wrestling Championship. However, the letter further proceeded to state as follows:

“However, the following certificates submitted by them are fake:

.....

Similarly, the certificate submitted by Mr. Chandan Kumar regarding participation in the 57th Senior (Men) Free Style, Greco Roman Style and 15th Female National Wrestling Championship held at Gonda [Uttar Pradesh] from 8th to 11th November 2012 is also not genuine.”

19. In view of the facts and circumstances as discussed herein above, the certificate with respect to the participation of the petitioner in the 57th Senior (Men) Free Style, Greco Roman Style National Wrestling Championship held at Gonda, Uttar Pradesh from 8th to 11th November, 2012 not having been found to be genuine, the Court finds no merit in the instant application.



20. The application is dismissed.

21. Let both the original files produced be returned to
learned counsel for the State of Bihar.

(Partha Sarthy, J)

Saurabh/-

AFR/NAFR	NAFR
CAV DATE	18.12.2025
Uploading Date	22.12.2025
Transmission Date	N/A

