

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9395 of 2018

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Raj Kumar Paswan S/o Mahendra Paswan Resident of Village- Manoharpur,
P.S. Itarhi, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Home Department, Government of Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The Chairman, Central Selection Council Constable Appointment, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sudhir Kumar, Advocate
For the State	:	Mr. AC to GP-5
For the Resp. no.4	:	Mr. Sanjay Pandey, Advocate
		Mr. Binod Kumar Mishra, Advocate
		Mr. Vivek Anand Amritesh, Advocate

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 31-01-2025 Heard Learned Counsel for the petitioner, Learned
Counsel for the State and Learned Counsel for Respondent no.4.

2. The present writ petition has been filed for the
following relief/s:-

*“I. For directing the respondent
authorities to conduct the physical test
of the petitioner for his appointment on
the post of Constable as he has cleared
his post of Constable as he has cleared
his Written Test and the Physical Test
has not been conducted on the date
fixed i.e. on 27.03.2018 without any
reason.*



II. For directing the respondent authorities not to publish final result and make appointment under Advertisement No.01/2017 on the post of Constable without allowing the petitioner physical test.

III. For grant of any other relief/reliefs of which the petitioner may be found entitled under the facts and circumstances of the case and in the interest of justice.”

3. Learned Counsel for the petitioner submits that petitioner has participated in the examination process for the post of Constable in Bihar Military Police in the light of Advertisement no.01/2017 and subsequently, admit card has been issued to the petitioner for appearing in the written test and thereafter, he was declared successful in the written test and selected for next stage i.e. physical test. Counsel further submits that when petitioner reached at the venue for physical test, he and 20 other male candidates were informed that they are not allowed for giving physical test as the physical test of female candidates were going on. Thereafter, petitioner filed representation on 27.03.2018 requesting therein to appear for physical test but he and 20 other male candidates were orally



directed to appear for physical test on the next day i.e. 28.03.2018. Counsel submits that petitioner and others again reached at the venue for physical test, but the concerned authority refused to conduct their physical test and they have been forcibly driven out from the venue. Hence, with this grievance, petitioner has moved before this Hon'ble Court by filing the writ petition.

4. Learned Counsel for Respondent no.4 on the other hand submits that petitioner has submitted the wrong application as in column no.4 of the form, petitioner has inserted his sex as female instead of male (annexed as Annexure-B of the counter affidavit). Counsel further submits that in the light of advertisement made by the Central Selection Council (Constable Recruitment), it has been clearly mentioned about the methodology of filling up the form and in case of any mistake while filling up the form, there was also remedy available for removal of the same. Counsel submits that since, the said removal could not be made by the petitioner, it is due to this reason, such type of problem has arisen. Counsel further submits that process of advertisement has already been completed and thereafter, three new advertisements have come which are also in process.



5. In the light of the submissions made by the parties, it transpires to this Court that process of Advertisement No.01/2017 has already been completed, hence, this Court is not inclined to interfere in this matter and accordingly, this writ petition is hereby dismissed.

(Dr. Anshuman, J)

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