

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6321 of 2023

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Ravindra Kumar Rahi Son of Deenesh Paswan Resident of Village- Turki,
Police Station- Chenari District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Panchaity Raj Department,
Government of Bihar, Patna
2. The Principal Secretary, Department of Panchaity Raj, Government of Bihar,
Patna
3. The Bihar State Staff Selection Commission through its Secretary, P.O- B.V
College, Patna-14.
4. The Secretary, Bihar State Staff Selection Commission, P.O- B.V College,
Patna- 14

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr. Siyaram Shahi, Advocate Mr. Manoj Kumar, Advocate Mr. Abhishek Raj Kashyap, Advocate
For the State	:	Mr. Rakesh Kumar Ranjan, AC to GA-5
For the B.S.S.C	:	Mr. Satyabir Bharti, Sr. Advocate Ms. Kanupriya, Advocate Mr. Abhishek Anand, Advocate Ms. Aastha Prakash, Advocate

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
C.A.V. JUDGMENT

Date : 18-06-2026

Heard Mr. Siyaram Shahi, learned counsel for the
petitioner, Mr. Rakesh Kumar Ranjan, learned counsel for the
State of Bihar and Mr. Satyabir Bharti, learned Senior counsel
for the Bihar Staff Selection Commission.

2. The instant application has been filed praying for
quashing the order contained in memo no.1415 dated
19.4.2022 issued under the signature of the Secretary, Bihar
Staff Selection Commission, Patna ('the Commission' in



short) whereby the candidature of the petitioner was cancelled and the recommendation withdrawn on the ground that his biometric thumb impression did not match with the sample as per the report of the Forensic Science Laboratory, Patna.

3. The case of the petitioner in short is that the Commission having come out with an Advertisement no.07070114 of 2014 for appointment of 3295 persons of Group-C posts, the petitioner being eligible appeared in the P.T examination and was declared successful. The petitioner thereafter appeared in the mains examination and also being declared successful therein, appeared for counselling on 10.4.2018.

4. It is the case of the petitioner that his name was recommended for the post of Block Panchayat Raj Officer, subject to the result of the Forensic Science Laboratory with respect to his handwriting.

5. It transpires from the record that notice dated 4.9.2018 was issued under the signature of the Secretary of the Commission stating therein that biometric identification of the 38 candidates mentioned therein including the petitioner herein could not be done. The candidates were directed to appear before the Commission on 14.9.2018.



6. The petitioner appeared on 14.9.2018 and submitted his biometric details.

7. In the meantime, the Panchayati Raj Department not having accepted the joining of the petitioner, the petitioner moved this Court in CWJC no. 4572 of 2021, which was disposed of by order dated 9.4.2021 with a direction to the respondents to consider the representation filed by the petitioner and decide the claim of the petitioner for appointment within a maximum period of two months.

8. The petitioner thereafter filed representation before the Additional Chief Secretary, Panchayati Raj Department, Bihar, however no order having been passed on the same, the petitioner filed a contempt application being M.J.C. no. 1874 of 2021.

9. During pendency of the contempt application, the respondents came out with the order dated 19.4.2022 as a result of which the contempt application was disposed of as withdrawn by order dated 28.2.2023 granting permission to the petitioner to challenge the order dated 19.4.2022.

10. It is pursuant thereto that the order dated 19.4.2022 has been challenged in the instant writ application.

11. Learned counsel for the petitioner submits that



even if the thumb impression of the petitioner does not match, the same does not invalidate his candidature if the other documents including his handwriting, signature and photograph are not disputed. The mismatch of thumb impression may be caused due to many reasons.

12. The application is opposed by learned Senior Counsel appearing for the respondent- Commission. It is submitted that the thumb impression of the petitioner was taken at the time of conduct of the mains examination and the same did not match with the sample taken subsequently at the time of counselling. Thus the candidature of the petitioner was rightly rejected by the order impugned dated 19.4.2022.

13. Having heard learned counsel for the parties and having perused the material on record, it transpires that the petitioner having been declared successful in the P.T examination conducted by the Commission against Advertisement no.07070114 of 2014 for recruitment on 3295 Group-C posts, the petitioner was issued admit card for appearing in the mains examination to be held on 27.3.2016. At the time of conduct of the mains examination, the biometric thumb impression of the appearing candidates including the petitioner were taken and preserved.



14. At the time of counselling, the thumb impression of the candidates were taken and verified with the thumb impression taken at the time of mains examination. The thumb impression of the petitioner did not tally.

15. In the report dated 18.11.2019, which has been brought on record as Annexure-3/B to the counter affidavit filed on behalf of the Commission, the Chief State Examiner cum Director, Finger Print Bureau, C.I.D, Bihar, Patna clearly states that the fingerprint of the petitioner taken at the time of mains examination which was marked as Exhibit X(B)/3 does not match with the samples taken subsequently and marked as Exhibit Y(B)/3.

16. It may be pointed out here that so far as recommendation of the Commission contained in letter dated 16.7.2018 (Annexure-R3/A) for appointment on the post of Block Panchayati Raj Officer is concerned, it was clearly stated in paragraph no.2 thereof that the appointment of the petitioner was subject to the report of the Forensic Science Laboratory.

17. So far as the judgment relied upon by learned counsel for the petitioner dated 25.3.2025 passed in *Writ Petition no.8990 of 2020 (Vinod Kumar Meena vs. Life*



Insurance Corporation of India) of the Madhya Pradesh High Court (at Indore) is concerned, on perusal of paragraph nos. 17 to 19 thereof, the facts of the said case are clearly distinguishable. In the said case, the discrepancy in the process of biometric verification was on the ground of failure on the part of machine. So far as the facts of the instant case are concerned, it is not a case of failure on the part of machine in reading the biometric details as contained in the thumb impression instead after comparing the same, as contained in the report dated 18.11.2019 submitted by the Finger Print Bureau, C.I.D., Bihar, Patna, the samples contained in Exhibit X(B)/3 did not match with the subsequent sample of Exhibit Y(B)/3.

18. So far as the judgment dated 16.5.2023 of the Allahabad High Court in the case of *Vijay Pal & Ors. Vs. Union of India & Ors. (Writ A. no.21096 of 2018)* is concerned, the same has been relied upon by learned counsel for the petitioner to contend that a copy of the expert's report should have been supplied to the petitioner. However, the said order is also of no assistance to the petitioner in the instant case insofar as while making the recommendations, the Commission in its letter dated 16.7.2018 had clearly



mentioned in paragraph no.2 that the appointment of the petitioner would be subject to the results of the report of Forensic Lab.

19. In view of the facts and circumstances stated herein above, the Court finds no merit in the instant writ application.

20. The application is dismissed.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	NAFR
CAV DATE	09.04.2026
Uploading Date	18.06.2026
Transmission Date	

