
(2022) 01 PAT CK 0009

Patna High Court

Case No: Civil Writ Jurisdiction Case No. 23092 Of 2019

Rajesh Singh

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision: Jan. 5, 2022

Hon'ble Judges: P. B. Bajanthri, J

Bench: Single Bench

Advocate: Surendra Kumar Mishra, Md.Nadim Seraj, Stayam Shivam Sundaram

Final Decision: Dismissed

Judgement

1. The matter is heard via video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioners have prayed for the following relief/reliefs:

“That the petitioner craves indulgence of this Hon^{ble} Court for issuance of an appropriate writ/writs in the nature of Mandamus for

commanding the respondents to all the petitioners for driving test on the ground that they qualified in the written test and submitted the experience

certificate, and the person who secured less marks were called for driving test and also on the ground that the result was not published as per the

terms and conditions of the advertisement for the post of Vehicle Driver vide Advertisement No. 13010116 as contained Annexure- 1 to this

petition.”

3. Pursuant to the advertisement vide Annexure 1 to the post of Vehicle Driver petitioners are candidates. They have not been selected on the score

that they did not secure qualifying marks in the written test. The 1st petitioner whose candidature is required to be considered under GM (general

merit), he has secured 39.75 % of marks whereas cut-off percentage for General Class is 40 %. Similarly the 2nd petitioner has claimed candidature under backward class and he has secured 35.25 % whereas cut-off marks under backward class category is 36.5 %. That apart experience certificate obtained by them is not relating to Government organization and they are not entitle to additional marks as they claim. For consideration of experience certificate notification relating to advertisement is very specific that work experience could be taken into consideration if a candidate has secured experience in the State Government organization. In the light of these facts and circumstances, the petitioners have not made out a case.

4. Accordingly, writ petition stands dismissed.