

## Soni Kumari Singh Vs The State of Bihar and Others

**Court:** Patna High Court

**Date of Decision:** April 25, 2012

**Citation:** (2012) 3 PLJR 651

**Hon'ble Judges:** Navin Sinha, J

**Bench:** Single Bench

**Advocate:** Shivendra Kumar Sinha, for the Appellant; S.S. Shabbar Hussain, for the Respondent

### Judgement

@JUDGMENTTAG-ORDER

Navin Sinha, J.

It is submitted that the petitioner was a candidate for the post of Lady Supervisor. She is aggrieved by gross irregularities

in the selection process when the respondents have permitted removal of deficiencies in the applications by submission of the necessary certificates

after the last date stipulated in the advertisement. Learned counsel for the State submits that it is possible that even if applications were deficient, it

may have been provided in procedures that the candidate shall be given an opportunity to remove deficiencies.

2. The Court finds that Clause-4 of the advertisement states that the candidates were mandatorily required to enclose caste certificate,

Graduate/Post Graduate and other examination certificates alongwith marksheet and character certificate issued by a gazetted officer. Submission

of residence certificate from the S.D.O. was mandatory. The advertisement contains no relaxation clause. The advertisement is the representation

to the public. Any conditions affecting the advertisement as may be prescribed in the regulations for removal of deficiencies but not publicized in the

advertisement can only give rise to nepotism and favouritism. A candidate may not be aware of the opportunity. The selected and blue eyed shall

(sic) informed.

3. If what the petitioner contends be correct that certain candidates submitted certificates obtained after the last date prescribed in the

advertisement, it is a fact which speaks for itself.

4. If the petitioner represents before the Divisional Commissioner under Clause-5.9 of the Guidelines, let it be considered and disposed off within

the time prescribed therein and, if satisfied, the Commissioner is expected to take appropriate remedial and corrective action also for which he is

empowered under the aforesaid provision. The present proceedings were initiated under the 2010 Guidelines which are not different from the 2011

Guidelines on the questions of law. The application is disposed.