

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1504 of 2022

Lal Babu Ram Son of Awadh Bihari Ram, Village - Ear, P.S. - Agiawan Bajar,
District - Bhojpur at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home, Govt. of Bihar, Patna.
2. The Director General of Police, Govt. of Bihar, Patna.
3. The Inspector General of Police, Govt. of Bihar, Patna.
4. The Chairman, Central Selection Board of Constable, Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Ms. Deep Shikha, Advocate
For the State	:	Ms. Shalini, AC to GP- 5
For the CSBC	:	Mr. Sanjay Pandey, Advocate Mr. Binod Kumar Mishra, Advocate Mr. Vivek Anand Amritesh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 23-03-2026

Heard learned counsel for the parties.

2. The petitioner has filed the instant application for
the following prayers:

*“1. i. For issuance of writ
in the nature of certiorari directing
and commanding the respondents to
organize a fresh driving test
examination with regard to the
petitioner having Roll No.*



7710140306.

ii. For also directing and commanding the respondents to keep one seat reserve for SC category for the petitioner till disposal of the present writ petition.

iii. For any other relief or reliefs for which the petitioner is found entitled in the facts and circumstances of the case.”

3. The case of the petitioner in brief is that the petitioner belongs to the scheduled caste category. On the respondent Central Selection Board (Constable) coming out with advertisement on 29.11.2019 for appointment of driver (constable), the petitioner being eligible in all respects applied for the same. He participated in the written examination held on 14.10.2020 and having qualified, he appeared for the physical eligibility test on 24.11.2021. Having qualified in the physical eligibility test also, the petitioner appeared in the driving test examination and completed all the five types of driving test.

4. Not having been finally selected, aggrieved by the result, the petitioner has moved this Court in the instant writ application for the prayer as stated herein above.

5. It is submitted by learned counsel for the petitioner that the petitioner is meritorious and a very good



driver. There is no reason why he should not have been selected. It is further submitted that against the required minimum marks of 33.5, the petitioner having performed well in the test he should have been selected.

6. The application is opposed by learned counsel for the respondents. It is submitted that from perusal of the advertisement itself it would transpire that the minimum marks that a scheduled caste candidate is required to secure in the Driving Efficiency Test is 33.5 whereas the petitioner has secured only 32.25, which is below the required minimum marks. Further so far as appointment is concerned, in the category of the petitioner, the cut off mark of the last selected candidate is 39.

7. Having heard learned counsel for the parties and having perused the contents of the petition, in view of the statements made in the counter affidavit filed on behalf of respondent no.4, while the minimum eligibility marks in the driving efficiency test for the petitioner's category i.e. of scheduled caste being 33.5 and the marks of last selected candidate being 39, as against the same, the petitioner having secured only 32.25 marks, he was rightly not selected by the respondents.



8. The Court finds no merit in the instant writ application and the same is dismissed.

(Partha Sarthy, J)

sauravkrsinha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.3.2026
Transmission Date	NA

