

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1964 of 2017

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Anmola Kumari Daughter of Sri Dinanath Singh, Resident of Village-
Shankarbigha, P.S.- Sakurabad, District- Jehanabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Home Department, Government of Bihar, Patna.
2. The Chairman Central Selection Board Constable Appointment, Bihar, Patna.
3. The Secretary Central Selection Board, Constable Appointment, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Anuj Kumar, Advocate Mr. Adarsh Singh, Advocate Mr. Vikas Kr. Jha, Advocate
For the State	:	Mr. N. Vilochan Tiwary, (AC to GA-9)
For the CSBC	:	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

7 20-03-2025 Heard Learned Senior Counsel for the petitioner,

Learned Counsel for the State and Learned Counsel for Central

Selection Board of Constable, Bihar, Patna.

2. The present writ petition has been filed in the nature of writ of certiorari for directing the respondent authorities to appoint the petitioner as Jail Warden on the basis of the marks obtained by her in Physical Evaluation Test (PET) in Long Jump as the qualifying marks for appointment as she was selected at the written test and test of kilometer run



conducted by the Central Selection Board (Constable appointment). Further prayer has been made to hold that lady carrying pregnancy are fully qualified for appointment to the above post even if they in long jump test jumped exactly 9 feet because of their temporary physical disqualification. Further alternative prayer has been made to hold fresh physical evaluation test of the petitioner for long jump test after delivery of child of the petitioner.

3. Learned Senior Counsel for the petitioner submits that petitioner is a married lady carrying pregnancy of three and half months and she has a good academic career having passed her matriculation examination in 1st Division and intermediate examination in 2nd Division. Senior Counsel submits that petitioner has appeared in the Advertisement No.03/2015 issued by the Central Selection Board (Constable appointment), Bihar, Patna for the post of Jail Warden. Petitioner was issued admit card and she appeared in the written test and declared successful. Thereafter, petitioner appeared in the physical eligibility test and in the first test which was a run for one kilometer, petitioner participated in the same and was declared successful. Then, the second test was with respect to shot put in which petitioner participated in the same and passed the said



test. But in the third test i.e. long jump, petitioner could not compete the same due to her pregnancy. Senior Counsel further submits that petitioner being a married lady and due to her pregnancy of three and a half months, she failed in long jump test and therefore, she wants to appear in the long jump test again six months after the end of her pregnancy period or alternatively she be declared successful.

4. Learned Counsel for Central Selection Board of Constable, Bihar, Patna submits that petitioner was not successful due to the reason that she could not get position in the selected list of candidates. Counsel submits that there is no such provision in the recruitment/advertisement under which such benefit has to be granted to a pregnant lady. Counsel further submits that at the time of filing up the form of physical evaluation test, a declaration was demanded in which, petitioner has intimated to the Appointing Authority that she is not pregnant. Therefore, there is no question of consideration of the petitioner's case.

5. In the light of the submissions made and upon hearing the parties, it transpires to this Court that there is no provision in the recruitment/advertisement process to grant such type of benefit and particularly prior to enter into recruitment



process, a declaration was demanded in this regard but petitioner has submitted a false declaration. Now before the Court, she came with this pleading that she was pregnant therefore exemption be given to her. Demand of such relief by the petitioner is not permissible hence cannot be granted. Hence, this writ petition is hereby dismissed.

(Dr. Anshuman, J)

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