

**Rajeev Ranjan Vs. The State of Jharkhand and Ors**

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**Court :** Jharkhand

**Decided On :** Aug-10-2016

**Appellant :** Rajeev Ranjan

**Respondent :** The State of Jharkhand and Ors

**Judgement :**

IN THE HIGH COURT OF JHARKHAND AT RANCHI W.P. (S) No. 6083 of 2014  
Rajeev Ranjan ..... Petitioner Versus 1. The State of Jharkhand.

2. Jharkhand Public Service Commission, through its Chairman, Ranchi.

3. The Chairman, Jharkhand Public Service Commission, Ranchi.

4. The Secretary, Jharkhand Public Service Commission, Ranchi.

5. The Examination Controller, Jharkhand Public Service Commission, Ranchi. ..  
Respondents ----- CORAM : HONBLE MR. JUSTICE H. C. MISHRA ----- For  
the Petitioner : Mr. Rajeev Ranjan Tiwary, Advocate For the Respondent State :  
Mrs. Shweta Singh, J.C. to G.P.-V. For the J.P.S.C. : Mr. Sanjay Piprawall,  
Advocate ----- 07/ 10.08.2016 Heard learned counsel for the petitioner, learned  
counsel for the State as also learned counsel for the Jharkhand Public Service  
Commission.

2. Aggrieved by the letter dated 11.3.2013, as contained in Annexure-5 to the writ  
application, whereby, the petitioner was informed by the respondent Jharkhand

Public Service Commission that his candidature was treated under the 'General Category' and he could not be selected, because he was at Serial No. 163 in the merit list, the petitioner has filed this writ application for quashing the same.

3. The petitioner had applied pursuant to the advertisement, published by the Jharkhand Public Service Commission for the 4th Combined Civil Services Examination, 2012, wherein the petitioner claimed to be belonging to B.C.-II category and he submitted his application in the same category. It is the case of the petitioner that the petitioner was successful in the said examination, but the petitioner was not selected.

4. The petitioner had earlier moved to this Court in W.P.(S) No. 7983 of 2012 for the same relief, claiming that the petitioner had secured 969 marks, whereas the cut-off marks in B.C.-II category was 963 marks. The Jharkhand Public Service Commission had opposed the writ application and pointed out that in spite of specific instructions for the Mains Examination, the petitioner had not submitted the required caste and residence certificates, for which his candidature was treated under the General Category. The said writ application was dismissed as withdrawn, giving the liberty to the petitioner to file fresh writ petition, by order dated 25.11.2013, as contained in Annexure-6 to the writ application. -2- 5. The petitioner has once again filed this writ application for the same relief, bringing this time on record the letter dated 11.3.2013, which is contained in Annexure-5 to the writ application.

6. Learned counsel for the petitioner has submitted that the petitioner had applied under the B.C.-II category and had given the caste and residence certificates, including one caste certificate, issued by the Deputy Commissioner, Hazaribag. The photo copy of the Caste certificate, as claimed to have been submitted by the petitioner along with his application, has been brought on record, as Annexure-2 to the writ application. Learned counsel has accordingly, submitted that the petitioner had given the required certificates, but the petitioner has not been considered under the B.C.-II category, rather his candidature has been wrongly considered under the General category.

7. By order dated 27.7.2016, passed by this Court, learned counsel for the Jharkhand Public Service commission was directed to produce the original application form along with its enclosures. Today, in sealed cover, the original application submitted by the petitioner, along with its enclosures has been produced, which clearly shows that the petitioner had submitted the caste certificate, and the residence certificate issued by the Block Development Officer, and the Circle Officer, respectively, of Chauparan, District Hazaribag, and it does not contain any caste certificate, issued by the Deputy Commissioner, as claimed by the petitioner.

8. Learned counsel for the Jharkhand Public Service Commission has also drawn the attention of this Court towards the notice, published by the Jharkhand Public Service Commission, whereby the candidates were informed that the caste and residential certificates, issued by the competent authority, not below the Rank of Sub-Divisional Officer, were not being submitted by many candidates, and such candidates were given the further opportunity to submit the caste and residential certificates, issued by the competent authority, not below the Rank of Sub-Divisional Officer, before the Jharkhand Public Service Commission. It is submitted that in spite of that, the petitioner did not submit the required certificates in the office of Jharkhand Public Service Commission and accordingly, the petitioners case was considered under the 'General Category'. Learned counsel for the Jharkhand Public Service Commission further submits that since the petitioner has been awarded less marks than the last selected candidate in General category, the petitioner was not selected in the said examination. -3- 9. Having heard learned counsels for the parties and upon going through the record, I find that that the candidature of the petitioner was not considered in 'BC-II Category', in view of the fact that the petitioner had not submitted the caste and residential certificates, issued by the competent authority, not below the Rank of Sub-Divisional Officer, though the petitioner claims that he had submitted the caste certificate issued by the Dy. Commissioner, Hazaribag. Pursuant to the order dated 27.6.2016, the original application along with its enclosures, has been produced by the learned counsel for the Jharkhand Public Service Commission, which does not contain any caste certificate or residence certificate, issued either by the Deputy Commissioner or Sub-Divisional Officer. The caste certificate and

residence certificate, which were submitted by the petitioner, have been issued by the Block Development Officer, and Circle Officer respectively, and accordingly, the candidature of the petitioner was considered in General Category by the of Jharkhand Public Service Commission.

10. As the petitioner had not submitted the required caste and residence certificates, the case of the petitioner was rightly considered under the 'General Category', and since the petitioner had bagged lesser marks than the last selected candidate under the 'General Category', no case is made out for the selection of the petitioner.

11. There is no merit in this writ application, and the same is, accordingly, dismissed.

12. The original application along with its enclosures, produced by the learned counsel for the Jharkhand Public Service Commission is returned back to him for the needful. ( H. C. Mishra, J.) Amitesh/-

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