

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.25132 of 2013**

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1. Gunjan Kumar Singh S/O Chandrika Prasad Singh Vill- Bodha Chapra, P.S- Awatar Nagar, District- Saran.
2. Binay Kumar Singh S/O Punit Singh R/O Village- Pratapur, P.S- Awatar Nagar, District- Saran.

... .. Petitioner/s

Versus

1. The State Of Bihar.
2. The Principal Secretary, Home Department, Government Of Bihar, Patna.
3. Principal Secretary, Finance Department, Government Of Bihar, Patna.
4. The Principal Secretary, General Administration Department, Government Of Bihar, Patna.
5. Joint Secretary Cum Director (Administration), Department Of Home, Government Of Bihar.
6. The Inspector General, Jail And Reforms Services, Government Of Bihar, Patna.
7. The Secretary, Bihar Staff Selection Commission, Patna.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate  
For the State : Mr. Rakesh Ranjan, AC to GP-22

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL JUDGMENT**

**Date : 06-07-2023**

1. The present writ petition has been filed seeking the following reliefs:-

*“i). To issue an appropriate writ/order/direction in the nature of mandamus directing the Respondents to appoint the petitioners to the post of Jail Warden as per the advertisement No.01/2013 dated 18.02.2013.*

*ii). To direct the Respondent no.7 to*



*produce the entire records of the medical examination that was conducted in the Selection Process initiated as per the Advertisement No.1/2013.”*

2. The learned counsel for the respondent has submitted by referring to the counter affidavit filed in the present case that the petitioners were not found fit in medical and physical test, as also they had failed in the race because they could not complete 1600 metres race in 6 minutes, hence they have not been declared to be successful, consequently they have not been appointed on the post of Jail Warden. It is further submitted that exemption from physical and medical test are given only to Ex-Home Guard and Ex-army personnel, however, resolution dated 04.09.2013 of the State Government, on which the petitioners are relying, is not applicable in the case of the petitioners. Lastly, it is submitted that if so advised, the petitioner may apply afresh in pursuance to fresh advertisement, to be issued in future, for the purposes of making appointment on the post of Jail Warden, in case they have the requisite qualifications.

3. Having regard to the facts and circumstances of the case and for the reasons mentioned hereinabove, more particularly, the fact that the petitioners have failed both in



medical as well as physical test, I do not find any merit in the present writ petition, hence the same stands dismissed.

**(Mohit Kumar Shah, J)**

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<b>AFR/NAFR</b>	NAFR
<b>CAV DATE</b>	NA
<b>Uploading Date</b>	10.07.2023
<b>Transmission Date</b>	NA

