
(2025) 10 PAT CK 1343

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.23854 Of 2018

Zahid Akhter

APPELLANT

Vs

State Of Bihar

RESPONDENT

Date of Decision : 14-10-2025

Acts Referred:

Constitution Of India, 1950 — Article 14, 17, 21

Citation : (2025) 10 PAT CK 1343

Hon'ble Judges : G. Anupama Chakravarthy, J

Bench : Single Bench

Advocate : Dhannjay Kumar, Kapileshwar, Deepak Kumar

Final Decision : Disposed Of

Judgement

G. Anupama Chakravarthy, J

1. The petitioner has filed the instant application for the following relief:

“(A) For issuance of appropriate writ/s order/s or direction/s to respondents to sanction "Chief Minister Minority Employment Loan" to the petitioner who have selected and authorities have published final selection list after verify the documents and interview of the applicant.{contain annexure 5)

(B) Any other order/s and relief/s for which petitioners are found to be entitled.”

2. The brief facts as culled out of the petition are that the petitioner, belonging to the Muslim minority community is an unemployed youth who applied for a loan under the “Chief Minister Minority Employment Loan Yojana” for the financial year 2016–17. It is submitted that after interview, the petitioner was selected for loan and his name appeared at Serial No. 126 in the initial selection list published by the authorities. However, a second list was later published, in which his name was excluded without assigning any reasons.

3. It is submitted by the Learned counsel for the petitioner that the selection criteria were not disclosed, and candidates with lower marks were

included in the revised list arbitrarily.

4. It is further submitted that the petitioner fulfilled eligibility criteria and had submitted all required documents. Despite repeated representations and RTI applications, no response was received from the authorities.

5. It is alleged that the acts of the respondents are arbitrary, violative of Articles 14, 17, and 21 of the Constitution of India, and amount to discrimination against the petitioner.

6. A counter affidavit was filed on behalf of the respondent Nos. 2, 4 and 6. It is admitted that the Bihar State Minority Financial Corporation implements the "Chief Minister Minority Employment Loan Scheme" for unemployed minority youth. While the petitioner's name was included in the initial list recommended by the District Selection Committee, it was found that the list was not in accordance with the prescribed guidelines. Consequently, the Managing Director of the Corporation directed the District Minority Welfare Officer to send fresh list as per guidelines.

7. It is submitted by the Learned counsel for the respondents that the petitioner applied under Category IV, for which only 5% of the total allocated funds were reserved. Out of Rs.25 crores for the entire state, only Rs.88.30 lakhs were allocated for disbursement in West Champaran district. In the corrected list, the other candidates who were selected under Category IV had obtained 35, 33, and 32 marks respectively whereas the petitioner has obtained only 25 marks, which was below the cutoff. Therefore, the petitioner's name was not recommended for loan in the corrected list and urged to dismiss the writ petition as it is devoid of merits.

9. Upon hearing the Learned counsel for the parties and perusing the records, this Court finds that it is not in dispute that the petitioner's name initially appeared in the first list. However, the said list was later withdrawn and it was revised it did not conform to the guidelines issued by the State Government. The selection under the scheme was governed by a defined marking pattern and categorization system, and the revised list was prepared in accordance with those guidelines. From perusal of the contents of the counter affidavit it appears that the petitioner obtained 25 marks, did not meet the required cut-off in Category IV, where the lowest selected candidate had obtained 32 marks. Therefore, the Court finds no procedural irregularity or illegality in the revision of the list. The revised selection appears to have been made on merit and in adherence to the guidelines issued by the State Government for sanction of loan under the scheme. The Court is also of the view that no fundamental right of the petitioner has been violated. Mere inclusion in provisional / initial list does not confer any right to the petitioner for loan particularly where selection is based on merit and availability of limited funds.

10. In view of the submissions made by the Learned counsel for the respondents, and upon perusal of the contents of the writ petition and the reliefs sought

therein, this Court is of the considered view that the writ petition is devoid of merits and does not warrant any interference.

11. Accordingly, the writ petition is dismissed as devoid of merits.

12. Interlocutory Application, if any, shall stands disposed of.