

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11836 of 1997

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Awadhesh Prasad Nirala S/o Sri Alakhdeo Prasad, resident of village-
Mustafapur Panchayat Secretary Asthama district Nalanda

.... Petitioner

Versus

1. The State of Bihar through the Chief Secretary
2. The Secretary, Personal and Administrative Reforms Department,
Government of Bihar, Old Secretariat, Patna
3. The Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg,
Baily Road, Patna-1
4. The Deputy Secretary-cum-OSD, Bihar Public Service Commission, 15
Jawahar Lal Nehru Marg, Baily Road, Patna-1
5. Anil Kumar Roll No. 130190 through the Secretary, Bihar Public
Service Commission, 15 Jawahar Lal Nehru Marg, Baily Road, Patna-1

.... Respondents

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Appearance :

For the Petitioner : Mr. Rabindra Prasad Singh, Advocate
For the Respondents : Mr. Ashok Kumar Choudhary, AAG 13
Mrs. Meera Singh, AC to AAG 13

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

9 16-02-2015 The petitioner seeks quashing of a communication dated 28.12.1996 issued by the Bihar Public Service Commission (hereinafter referred to as the Commission) whereby, the petitioner's candidature for selection against the post of Secretariat Assistant, held by the Commission in 1993, has been cancelled. It was further mentioned in the said letter that the petitioner would not be entitled to sit in any examination conducted by the Commission up to 31.12.1996.

From the pleadings in the writ application, I find that before issuance of the impugned communication, the petitioner

was given an opportunity to file show cause as he was found adopting unfair means in the selection test, held by the Commission. The petitioner had filed the show cause reply and upon considering his show cause reply, the impugned communication was issued.

I do not find any reason to interfere with the decision of the Commission as the decision cannot be said to be in violation of principles of natural justice nor can it be said to be harsh. I have taken into account the fact the said communication was issued on 28.12.1996 by which the petitioner was deprived for appearing in examination up to 31.12.1996.

In such view of the matter, this writ application is dismissed.

(Chakradhari Sharan Singh, J)

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