

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.4034 of 2014

In

Civil Writ Jurisdiction Case No. 561 of 2014

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Vandana Mayank, Daughter of Vijay Prasad Singh, resident of Shri Ram Janki Bhawan, Behind S.K.M. College, New Area, Nawada, District-Nawada. Petitioner.

Versus

1. The State of Bihar through its Principal Secretary, Department of Health, namely, Deepak Kumar.
 2. Ashok Kr. Chauhan, the Chairman, Bihar Combined Entrance Competitive Examination Board (B.C.E.C.E.), Patna.
 3. Dr. Prabhat Kumar, Examination Controller, Department of Health, Government of Bihar, Patna.
 4. J.R.K. Roy, Controller of Examination, Bihar Combined Entrance Competitive Examination Board (B.C.E.C.E.), I.A.S. Association Building, Near Patna Airport, P.O.- Veterinary College, Patna 14
- Opposite Parties.
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Appearance :

For the Petitioner/s : Mr. A. K. Arun, Advocate
: Mr. Siyaram Pandey, Advocate
For the Respondent/s : Mr. Jahan Ara, AC to AAG-V
: Mr. Vikash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH
ORAL ORDER

3 29-07-2015 The petitioner alleges contempt of order dated 09.01.2014 passed in C.W.J.C. No. 561 of 2014.

2. The petitioner was successful in written examination. However, she failed to appear on the date of counseling.

3. According to the petitioner, she does not subscribe the Newspaper Aaj and as such she was not aware of the date of counseling. The writ petition was disposed of with liberty to the petitioner to explain her case before the Controller of Examination, Bihar Combined Entrance Competitive Examination

Board that she was prevented from sufficient cause in appearing in counseling.

4. A show-cause has been filed on behalf of Opposite Party Nos. 2 and 4 stating that it is not possible to accept the excuse of the petitioner for not appearing on the date of counseling. Reference has been made to order dated 23.12.2014 passed by the Controller of Examination, Bihar Combined Entrance Competitive Examination Board.

5. The petitioner submits that earlier vide Annexure-A and B dated 08.02.2014 and 20.02.2014 the Board has informed that second counseling would take place.

6. Counsel for respondent nos. 2 and 4 in reply submits that finally a decision was taken that second counseling was not possible, as such her case for being given another opportunity for counseling was rejected.

7. In the facts and circumstances of the case, I find that the opposite party no.4 has disposed of the representation of the petitioner and as such no contempt is made out.

8. This application is, accordingly, disposed of.

(Samarendra Pratap Singh, J.)

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