

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2602 of 2015

1. Bharti Kumari Daughter of Ram Nandan Prasad Rai W/o Kaushal Kishore Sharma resident of Village Barauni -1, Post- Barauni Deorhi, P.S. -Teghra, District- Begusarai at present residing at Main Hotel , Nurse QT. Room No.,-14, Near Gaynik Hostel, P.O.-DMC, Darbhanga, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar through its Chief Secretary, Old Secretariat, Patna.
2. The Principal Secretary, Personnel and Administrative Reforms Department, Government. of Bihar, Old Secretariat , Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
4. The Director-in-chief, Secretary, Department of Education, Government of Bihar, Vikas Bhawan, New Secretariat, Patna.
5. The Bihar Staff Selection Commission Patna through its Secretary, Veterinary College, Patna.
6. The Chairman, Bihar Staff Selection Commission Patna through its Secretary, Veterinary College, Patna.
7. The Secretary, Bihar Staff Selection Commission Patna through its Secretary, Veterinary College, Patna.

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Ugranath Mallik
For the Respondent/s : Mr. Kamla Kant Upadhyaya

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 17-03-2015

17.03.2015

Heard learned counsel for the parties.

The reason for non-selection of the petitioner has been clearly indicated in the counter affidavit filed on behalf of Respondent Nos. 5 to 7.

There was a minimum qualifying marks fixed even for interview. The petitioner did not even get the minimum qualifying marks in the interview and that was the reason for her non-selection.

The submission of the counsel that no such provision was there in the requisition prescribed in the said advertisement, so the advertisement could not talked about, is a speculative kind of submission, because ultimately selection has to be made on the basis of the qualification and the eligibility laid down in the advertisement, which has been applied across the board. If the petitioner fails to achieve the minimum qualifying marks in the interview, respondents cannot be blamed for the same.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J.)

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