

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.7772 of 2014

1. Rohit Kumar son of Late Sita Ram Yadav resident of Vill.- Kasba Diyara, P.O.- Parmanandpur, P.S.- Lakhminia, Distt.- Begusarai

.... Petitioner/s

Versus

- 1. The State of Bihar through the Principal Secretary Department of Education, Bihar, Patna null null
- 2. The Director, Primary Education, Bihar, Patna
- 3. The Regional Deputy Director of Education, Munger
- 4. Bihar Public Service Commission, Bailley Road, Patna through its Secretary

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. A.B.Ojha,Sr.Adv.
For the Respondent/s : Mr. GA-8 SANDEEP KUMAR
For B.P.S.C. : M/S P.N. Shahi,Sr.Adv.& Sanjay Pandey

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 12-02-2015

Since the High Court cannot become the supper selection body and an expert body and conduct interview of the petitioner to award him higher marks, the prayer of the petitioner as well as the allegation of arbitrariness, merely because he has been awarded 12 marks out of 50 marks, cannot be looked into in a writ application. It is presumed that the expert body has made a fair assessment of the candidates, based on their performance at the time of interview. There is no reason to presume that the petitioner was individually targeted with lesser number of marks.

The writ therefore will be a speculative writ , not based on substantive material.

The writ application is dismissed.

B.Roy/-

(Ajay Kumar Tripathi, J)

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