

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.11505 of 2015**

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Shiv Shankar Kumar Rai, Son of Sri Prabhat Ranjan Rai, resident of Village Chathrahar, P.S. and Block Shambhuganj, Dist. Banka.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The State Project Director, Bihar Education Council, Bihar, Patna.
4. The District Magistrate, Bhagalpur.
5. The Deputy Development Commissioner, Bhagalpur.
6. The District Education Officer, Bhagalpur.
7. The District Programme Officer, Sarva Siksha Abhiyan, Bhagalpur.

.... .... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Siya Ram Sahi, Adv.  
Mr. Ranjan Kumar Singh, Adv.

For the Respondent/s : Mr. Nasim Yahya, GP13

For the Education Project : Mr. Girijesh Kumar, Adv.

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**CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA**  
**ORAL ORDER**

2      31-07-2015

Heard learned counsel for the parties.

Having regard to the prayer made in this writ application, relevant portion whereof reads as follows:-

- “1. That this is an application for issuance of an appropriate writ/writs, direction and quashing the entire selection process for the engagement of Pon-Cum-Night Guard on contract basis in the District of Bhagalpur under Sarva Siksha Abhiyan and for a direction in the nature of mandamus commanding the Respondent authorities not to proceed for interview, which is scheduled to be fixed on 29.7.2015 and 30.7.2015, respectively as well to start selection process afresh upon interview basis and grant all other consequential benefits in terms thereof for which petitioner is

entitled for.”

this Court is quite confident that no procedural error has been committed by the respondents either in advertising 17 posts of Class-4 employees under the Bihar Education Project, Bhagalpur or holding the written test or taking steps for conducting interview.

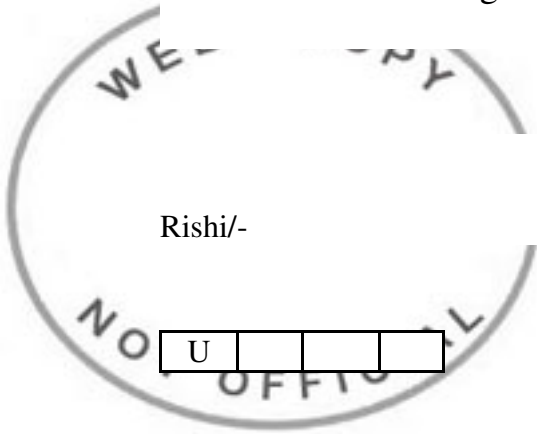
The submissions of Mr. Siyaram Shahi, learned counsel for the petitioner, that the publication of the list on the basis of written test held on 26.7.2015 having not containing individual marks obtained by the candidates will not inspire confidence has to be also noted for its being rejected. There is no requirement that every result published of the selected candidate called for interview must also contain their marks.

The submission that the petitioner could not become aware as to why the selection was not made and what was the cutoff marks of his category (Reserved Category of B.C.) again can never make the petitioner to maintain this writ application because if he had any such question in his mind, the remedy was again to seek information under the Right to Information Act.

That being so, this writ application must fail and is, accordingly, dismissed.

Nothing said in this order shall stand in the way of the petitioner in challenging the entire selection process if he finds

any reasonable ground after getting certain information under the  
Right to Information Act.



(Mihir Kumar Jha, J)

Rishi/-

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