

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2145 of 2016

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1. Jetha Ram Suthar, son of Sri Varda Ram Suthar, Resident of 17, Ganesh colony,
Badan Pijra, Jaipur, Rajasthan.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Personnel and Administrative Reforms Department, Govt. of
Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri

For the Respondent State: Mr. Indrajeet Bhushan, AC to GP2

For the BPSC : Mr. Satyabir Bharti

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 22-06-2016

Petitioner was one of the aspirants in the examination which was conducted by the Bihar Public Service Commission (in short BPSC) for 56th to 59th batch. Though he sat for the preliminary examination, his result has not been declared. The reason thereof is that the petitioner, who belongs to general category, was over-age on 01.08.2010, the cut off date for making such application. In the category to which petitioner belongs, the maximum age permissible for participation in the examination is 37 years. Affidavit of the writ application shows that petitioner is 44 years of age.

Counsel for the petitioner has many things to urge as to why he should be granted relaxation in age, primarily being that there has been delay in conduct and holding of examination by the BPSC on a regular basis and a candidate could not be made to suffer for the laches and omission on behalf of the BPSC.

This Court is not the forum to go into the issue as to the failure on the

part of the BPSC to conduct examination regularly and yearly since this is not a matter to be decided by a single Bench in the present lis.

However, with regard to any concession or leeway to be granted to such candidate is concerned, this Court had occasion to deal with similar matter in CWJC No. 1646 of 2016, decided on 30th March, 2016. The rationale and reasoning which this Court had provided in the said writ application also squarely applies to the case of the present petitioner. It makes no difference whether a candidate belongs to general category or to any other reserved category. The logic and rationale for declining any further concession by extending the age for participation was the core issue which has been answered by this Court.

In view of the above and for the rationale provided in the said writ application, even the present writ application is required to be dismissed. No relief can be granted to the petitioner.

(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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