

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.3680 of 2014**

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Santosh Kumar Akayla @ Santosh Upadhyay Son of Late Ram Bachan Upadhyay  
Resident of 4/27, Shivpuri Colony, Katari Hill Road, No. 6, Ali Ganj, Chandauti,  
Gaya.

.... .... Petitioner

Versus

1. The State of Bihar, through Principal Secretary, Department of Finance,  
Government of Bihar
2. Bihar Public Service Commission, through its Chairman, Bailey Road, Patna
3. Secretary, Bihar Public Service Commission, Bailey Road, Patna
4. Examination Controller, Bihar Public Service Commission, Patna

.... .... Respondents

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**Appearance :**

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|--------------------|---|----------------------------------|
| For the Petitioner | : | Mr. Rajan Ghoshrave, Advocate    |
| For the State      | : | Mr. Ashok Kumar Choudhary, AAG13 |
|                    |   | Ms. Meera Singh, AAG13           |
| For B.P.S.C.       | : | Mr. Sanjay Pandey, Advocate      |

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**ORAL JUDGMENT**

**Date: 06-01-2016**

Petitioner was one of the candidates who sat for the 3<sup>rd</sup> Bihar Finance Services (Limited) Competitive Examination as per Advertisement No.14/2010. When the merit list has been published and the petitioner's name did not figure therein, he has decided to file the writ application primarily on the ground that many key questions provided in the booklet did not have correct answers or even some of the questions were not correct. If this be so, the results should be quashed and fresh evaluation should be done.

To cut short the issue and dispute, counsel for Bihar Public Service Commission submits that all the model questions and answers were notified on the website based on the inputs, moderation

was done and the result was published. Petitioner has 191.52 marks whereas the last candidate in his category has 251.37 marks.

Even if for the sake of argument the submission of the counsel is accepted with regard to the wrong questions and answers, for which he has given examples in the writ application and even if all the marks are awarded in his favour, whatever be his response to those questions, he does not touch the minimum cut off of 251.37.

In view of the same, all the submissions are basically hypothetical and academic.

Writ application stands dismissed.

**(Ajay Kumar Tripathi, J.)**

Sanjay/-

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