

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.16049 of 2015

- =====
1. Purusotam Kumar, Son of Virendra Prasad Jaiswal, Resident of village & PO Hamidpur, PS Kesariya, District East Champaran
 2. Bijendra Kumar Singh, Son of Late Kameshwar Singh, resident of village- Naini, PS Muffasil, District Chapra, Saran
 3. Raushan Kumar, Son of Late Gauri Nandan Prasad, resident of village- Manik Bigaha, PS Dhanarua, District Patna
 4. Abhay Kumar Mishra, Son of Umashankar Prasad Mishra, resident of village- Hem nagar, P.S. Muffasil, District Chapra
 5. Meena Kumari W/o Late Triloki Prasad Yadav, resident of village- Purwari Rauza, PS Chapra Town, District Saran
 6. Manish Kumar, Son of Suresh Prasad Singh, resident of village Salempur, PS Chapra Town, District Chapra
 7. Wakil Paswan, Son of Chandrika Manjhi, resident of village- Sadhani, PS Bhagwanpur Ghat, District Siwan
 8. Vijay Kumar Chaudhary, son of Shambhu Chaudhary, resident of village Mohan Nagar, PS Chapra Town, District Chapra

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Finance, Government of Bihar, Patna
2. The High Court of Judicature through its Registrar General, Patna, Bihar
3. The District Judge, Civil Court, Saran at Chapra
4. The Judge Incharge, Civil Court, Saran at Chapra

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary
For the State : Mr. SC12-P.K.Singh
For Respondent 3 & 4 : Mr Bindhyachal Singh

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 18-01-2016

Petitioners want a direction upon the respondents to grant them promotion on a class III post on the basis of examination so held. They also want quashing of Annexure- 1, dated 2.7.2014.

There has to be fairness in conduct of any examination even if it is meant for grant of promotion. The authorities after

checking and cross-checking the materials which was before them which compelled them to come to a considered decision that unfair means have been used by the candidates in the examination so conducted. They have done no wrong by annulling the written examination.

The writ application, however, is disposed of with a direction upon the respondents that a fresh date will be notified and effort should be made to ensure that the examinations are conducted afresh and adequate safeguards are put in place so that the same kind of conduct does not lead the same kind of result. Let such an exercise be done in accordance with the prevalent rules.

(Ajay Kumar Tripathi, J)

sk

U			
---	--	--	--