

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5993 of 2013

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1. Prabhat Ranjan Son Of Ganesh Lal Singh Resident Of Village + P.O. Chandpur, P.S. Falka, District - Katihar
 2. Sumant Kumar Son Of Vijay Singh Resident Of Chndrika Rai Lodge, 2nd Floor, Kathpul, Near Nagpanch Mandir, South Mandiri, P.S. Budha Colony, Patna
 3. Girish Kumar Sinha Son Of Ganesh Prasad Sinha Resident Of House No. 72, Kasi Raman Path, East Boring Canal Road, Patna, P.S. Budha Colony, District - Patna
 4. Raj Kishore Sinha Son Of Sri Rajendra Prasad Sinha R/O Mohalla - Khagri, (Takiya Par), P.O. Digha, P.S. Danapur, District - Patna

.... Petitioner/s

Versus

1. The Bihar Staff Selection Commission Through Its Secretary, Veterinary College, Patna - 800014
2. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna - 800014
3. The Secretary, Bihar Staff Selection Commission, Veterinary College, Patna - 800014
4. The State Of Bihar Through Chief Secretary, Government Of Bihar, Patna
5. The Director General - Cum - Inspector Of Police, Government Of Bihar, Patna
6. The Inspector General Economic Offence, Government Of Bihar, Patna
7. The Principal Secretary, Excise And Prohibition Department, Government Of Bihar, Patna

.... Respondent/s

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Appearance :

For the Petitioner/s : M/S. Dinu Kumar, Manoj Kumar & Santosh Kumar
For the Respondents State : Mr. Lalit Kishore, P.A.A.G.
Mr. Prince Kumar Mishra, A.C. to PAAG
For the B.S.S.C. : Mr. Prabhat Kumar Singh.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 19-07-2016

Heard learned counsel for the petitioners, learned
counsel for the State as well as learned counsel for the Bihar State
Staff Selection Commission.

2. In this writ application the petitioners are seeking
relief to quash the result of 73 successful candidates to the posts of

Excise Sub Inspectors as against Advertisement No. 1108 contained in annexure- 11.

3. Government of Bihar had issued an advertisement for appointment of Excise Sub Inspectors, in pursuance thereof the petitioners had applied for that post. They appeared in the examination conducted by the Bihar Staff Selection Commission and before issuance of the final result, the Staff Selection Commission had notified the questions and model answers, sought objections from the candidates who had appeared in the examination. In pursuance thereof, Sumant Kumar, petitioner no. 2, raised four objections in General Knowledge and one objection in Hindi. As per objection raised by petitioner no. 2, the correct answer of question no. 11 would be option 'D', all the four options given by the Commission for the answer given in model answer in regard to question no. 14 are incorrect, has been accepted by the expert. The correct option suggested by the petitioner as 'B' of question no. 29 has been accepted and for question no. 39 the correct option would be 'C', as suggested by the petitioner has not been accepted but the expert found that the correct answer would be 'A' whereas in respect to Hindi paper II, as suggested by the petitioner with respect to question no. 34 as option 'A', has been accepted.

4. Learned counsel for the Commission has produced

the record with respect to the opinion of the expert. On perusal of the same it appears that the expert has accepted the objection raised by the petitioners in regard to question nos. 11, 14 and 29 but with regard to question no. 39, the correct answer suggested by the petitioner would be option 'C' has not been accepted but the expert has found the correct option of question no. 39 as option 'A'. The answer suggested in Hindi has been accepted. Out of five objections, four objections raised by the petitioners have been accepted. Only suggested answer 'C' of question no. 39 has not been accepted. By and large, the suggestions given by the petitioner No.2 have been accepted. Even if it is presumed that the suggestions given by the petitioner no. 2 in respect to question no. 39 with regard to option 'C' is correct, it will not change his position.

5. In such view of the matter, this Court is not inclined to interfere with the present case in favour of the petitioners. This writ application is, accordingly, dismissed.

(Shivaji Pandey, J)

Amin/-

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