

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4727 of 2016

- =====
1. Vijay Kumar Pandey, Son of Late Lakshmi Narain Pandey, resident of Mohalla Chitrakut Nagar, Road No.3, P.O. Digha, P.S. Danapur, District Patna-800012.
 2. Raj Kishore Sinha, Son of Shri Rajendra Prasad Sinha, resident of at Kahgri Takiya Per, P.O. Digha, P.S. Danapur, District Patna, Bihar-800012.
 3. Sanjay Kumar, Son of Kamla Prasad Singh, resident of Village Chatrabhuji Baraon, P.S. Piro, Bhojpur, Bihar-802159.
 4. Sanjay Kumar Singh, son of Ghanshyam Mandal, resident of Kamla Kunj, Budhnagar Road No.1, Postal Park, Patna, P.O. Postal Park, P.S. Kankarbagh.
 5. Vishwanath Prasad, son of Suresh Das, resident of Chamru Sah Lane, Post Champa Nagar, District Bhagalpur, P.S. Nathnagar, PIN-812004.
 6. Avinash Kumar, son of Shri Rajendra Prasad Roy, resident of Village Hasanpur Surat (New Colony) P.O.+P.S. Patori, District Samastipur, PIN-848504.
 7. Vikash Kumar, Son of Jageshwar Singh, resident of Behind the Bagaha Thana, Bagaha Kothi, P.S. Bagaha-1, West Champaran, PIN-845101.
 8. Nilesh Kumar Sinha, son of Shri Uday Shankar Prasad, resident of at Shastri Nagar, Near Hanuman Mandir, District Giridih, Jharkhand, PIN-815301.
 9. Ajay Kumar Verma, Son of Shri Surendra Kumar Verma, resident of Village Bhadwa, P.O. Itasang, P.S. Rahui, District Nalanda, Bihar, PIN-803119.
 10. Sujeet Kumar, son of Shri Nand Kishor Paswan, resident of Village Muradpur, P.O. Mabarakpur, P.S. Phulwarisharif, Patna, PIN-801505.
 11. Rajesh Kumar, son of Shri Satyendra Kumar Sharma, resident of AT+P.O. Pakri Barawan, P.S. Pakri Barawan, District Nawada, Bihar, PIN-805124.
 12. Rudrendra Kumar, son of Shri Jairam Tiwari, resident of Village Karari, P.O. Nad, P.S. Baddi, District Rohtas, Bihar, PIN-821113.
 13. Basant Kumar, son of Shri Devendra Prasad Verma, resident of Kailashpuri Ward No.11, P.O.+P.S. Dumra, District Sitamarhi, Bihar, PIN-843301.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
3. Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna-800 014.
4. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna-800 014.
5. The Controller of Examination, Bihar Staff Selection Commission, Veterinary College, Patna-800 014.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 5122 of 2016

=====

1. Rupak Kumar Sinha, son of Shri Srikant Prasad Sinha, resident of Road No.2, House No.10, Mohalla Indrapuri, P.O. Kesarinagar, P.S. Patliputra, Patna-800024.
2. Rajesh Kumar Sinha, son of Shri Anjani Kumar Sinha, resident of Ward No.28, East Lahiyanganar, P.O. Susird Nagar, P.S. Begusarai, PIN-851218.
3. Sanjay Kumar Singh, son of Shri Kanhaiya Singh, resident of Colony-Nehru

Nagar, P.O.+P.S. Buxar, District Buxar, PIN-802101.

4. Raju Ranjan Kumar, son of Shri Sachida Nand Yadav, resident of C/o Manmohan Prasad, Mohalla Vishnupuri, Chitkohra, Gardanibagh, P.O. Anisabad, P.S. Gardanibagh, Patna, PIN-800002.
5. Rajesh Kumar Gupta, son of Shri Suresh Prasad Sah, resident of At+P.O. Sultanpur, P.S. Desari, Sultanpur Desari, District Vaishali, PIN-844506.
6. Sourav Kumar Mishra, son of Devendra Kumar Mishra, resident of Village Kothwan, Near Baswari, P.O.+P.S. Khagaul, District Patna, PIN-801105.
7. Kumar Rajnish, son of Vishnu Kant Jha, resident of Baleshwar Colony, Q.No.4, Near Platform No.2, P.S. Dalsingh Sarai, P.O. Dalsinghsarai, Samastipur, PIN-848114.
8. Abhishek Raj, son of Sri Chandrakant Jha, resident of Flat No.301, Sri Lok Apartment, Near Sulabh Office, P.S. S.K. Puri, Patna, PIN-800001.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.
3. Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna-800 014.
4. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna-800 014.
5. The Controller of Examination, Bihar Staff Selection Commission, Veterinary College, Patna-800 014.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 5210 of 2016

=====

1. Ranjan Kumar son of Shiv Shankar Prasad Yadav Resident of Vill + P.O. - Inarawa Fulwar, P.S. - Lakhaura, Dist - E.Champaran, Bihar - 845315.
2. Rajeev Kumar son of Ravindra Prasad Verma resident of vill - Kenar Chatty, Post - Kenar, P.S. - Wazirganj, District - Gaya, Bihar - 805128.
3. Pramod Kumar Mishra son of Narendra Kumar Mishra resident of vill - Vindhyavasini Nagar, Behind Sonasli Petrol Pump, P.S. - Agamkuan, District - Patna, Bihar - 800026.
4. Kaushik Kumar son of Ishwaranand Singh resident of Vill - Ganj Jalalpur, Post - Maranchi, P.S. - Punpun, District - Patna, Bihar - 804453.
5. Avinash Kumar son of Rajendra Kumar resident of Vill - Itwan, Post - Kajaria, P.S. - Rajpur, District - Buxar, Bihar - 802128.
6. Raj Kumar son of Shyam Narayan Prasad Singh resident of Momagadag Colony, Bari Pahari, P.S. - Sohsaray, District - Nalanda, Bihar 803118.
7. Mannu Sah son of Bisheshwar Sah resident of Vill - Shubhankarpur, Post - Loha, P.S. - Kalulahi, District - Madhubani, Bihar, 847211.
8. Brajmohan Jha son of Upendra Jha resident of Vill - Machhaita Kurson, Post - Badiyami, P.S.- Satakpur, District - Darbhanga, Bihar, 847405.
9. Raghib Salim son of Md. Salim resident of Vill - Sarai Noor Nagar, Post - Mansurchak, P.S. - Bachhwara, District - Begusarai, Bihar, 851128.
10. Md. Kalimuddin Ansari son of Maniruddin Ansari resident of Moh - Dumduma, Post + P.S. - Laheria Sarai, District - Darbhanga, Bihar, 846001.
11. Kumar Gaurav son of Kameshwar Prasad resident of Vill - Murhena, Post -

- Chamotha, P.S. - Rajauli, District - Nawada, Bihar, 805125.
12. Niraj Kumar son of Ramanand Mishra resident of At - colony Barihat near Durga Mandir, Post + P.S. - Khajanchi Hat, District - Purnia, Bihar, 854301.
 13. Shashank Shekhar son of Kumar Binay resident of At - Goura Sahroy Amba, P.O. - Ramchua, Via - Tarapur P.S. - Shambhugang, District - Banka, Bihar, 813221.
 14. Sanket Kumar son of Subhash Chandra Singh resident of Raja Bazar, Durgasthan, Post + P.S. - Bihiya, District - Bhojpur, Bihar, 802152.
 15. Sachin Kumar Sharma son of Bindeshwari Prasad Sharma resident of D.D.T. Road, Union Church behnid Nayagaon, P.O. - Jamalpur, P.S. - East Colony, District - Munger, Bihar, 811214.
 16. Avinash Kumar son of Abhimanyu Singh resident of Flat No. - 304, Majestic Tribeni Apartment, Patel Chowk, Vijay Nagar, Bailey Road, P.S. - Rupaspur, District - Patna, Bihar, 800014.
 17. Ashwani Kumar son of Arun Kumar resident of 31 Malti Sadan, Sardar Patel Path, North S.K. Puri, Patliputra, P.S. - S.K. Puri, District - Patna, Bihar, 800013.
 18. Rajesh Kumar son of Krishnandan Prasad resident of Vill - Dharahara, Post + P.S. - Silao, District - Nalanda, Bihar, 803111.
 19. Suryanandan Shankar son of Ravindra Prasad resident of Kamrudinganj, Post - Biharsharif, P.S. - Laheri, District - Nalanda, Bihar, 803101.
 20. Bal Mukund Kumar son of Yugal Kishor Singh resident of At + P.O. - Bhatauna, Via - Patahi, P.S. - Karja, District - Muzaffarpur, Bihar, 843113.
 21. Mukesh Kumar son of Rameshwar Thakur resident of At + P.O. - Nimola, P.S. - Ghorasahan, District - East Champaran, Bihar, 845315.
 22. Arjun Kumar son of Ramchandra Yadav resident of At - Panchgachiya Koni, Post - Manoharpatti, Via - Nirmali, District - Supaul, 847452.
 23. Saday Kumar son of Vinay Prasad Singh Resident of At - Ghoswar Nayatola, Post - Rajauli, P.S. - Hajipur Sadar, District - Vaishali, Bihar, 844107.
 24. Nitesh Kumar Shrivastav son of Diwakar Prasad Shrivastava resident of At - ITI Jay Prakash Nagar, Road No. - 8c, Post - Bettiah, P.S. - Muffasil, Dist - W. Champaran, Bihar, 845438.
 25. Ranjan Kumar son of Late Lalita Prasad resident of vill - Kenar Chatty, Post - Kenar, P.S. - Wazirganj, District - Gaya, Bihar - 805128.
 26. Santosh Kumar son of Ramjeevan Prasad Resident of Kosi Colony, Q.No. - C/01, P.O. - Mirchaiwari, P.S. - Katihar, Dist - Katihar, Bihar, 854109.
 27. Dinesh Kumar Yadav son of Mahendra Prasad Yadav resident of Village - Rangra, Via - Naugachiya, P.O. + P.S. - Gopalpur, District - Bhagalpur.
 28. Vivek Kumar son of Ravindra Prasad resident of At + P.O. - Nimoia, Via - Bhelwa (Circle), P.S. - Ghorasahan, District - East Champaran.
 29. Kumari Aparajita daughter of Ramjanam Ram resident of Village - Banjariya Tarkulwa, P.O. - Motihari, P.S. - Banjariya, District - East Champaran.
 30. Mehtab Ansari son of Md. Sirajuddin Ansari resident of Village - Ambatari, Maniyarpur, Bounsi, District - Banka.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. Principal Secretary, General Administration Department, Bihar, Patna.
3. Bihar Staff Selection Commission, Patna through its Secretary.
4. Chairman, Bihar Staff Selection Commission, Patna.
5. Secretary, Bihar Staff Selection Commission, Patna.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 5258 of 2016

=====

1. Ramakant Pradeep, Son of Late Deonandan Sharma Resident of At Vachaspati Nagar, Post- Mahendru, P.S.- Bahadurpur, District- Patna, Bihar- 800006.
2. Pankaj Kumar, son of Beni Madhav Singh, resident of Vaidehi Apart, 1-C Niti Bagh, Jagdeo Path, Post- Veterinary College, P.S.- Rupaspur, District- Patna, Bihar- 800014.
3. Nitish Kumar, son of Akhilesh Singh, resident of Near Court Chouaha, Block Road, Masauhi, P.S.- Masarhi, District- Patna, Bihar- 804452.
4. Bahavesh Kumar Yadav, son of Ishwarlal Yadav, resident of At- Navtol, Post- Dhanauja, P.S.- Phulparas, District- Madhubani, Bihar- 847409.
5. Jitendra Kumar, son of Shambhu Prasad Yadav, resident of Vill- Bahuaraba, Post- Kainjari, P.S. Salkhua, District- Saharsa, Bihar 852129.
6. Sumit Kumar, son of Arwind Nath Sharan, resident of At- Rambag Chauri, Post- Ramna, P.S.- Mithanpura, District- Muzaffarpur, Bihar 842001.
7. Alok Kumar Sharma, son of Janardan Sharma, resident of Vill- Agnee, Post- Agnee, P.S.- Belaganj, District- Gaya, Bihar- 804403.
8. Niraj Kumar Jaiswal, son of Rajendra Prasad Jaiswal, resident of Vill- Dhamdaha, Post- Nirpur, P.S.- Dhamdaha, District- Purnea, Bihar 854203.
9. Purushotam Kumar, son of Satyendra Narayan Singh, resident of Vill- Nisarpura, Post- Supi, P.S.- Kako, District- Jehanabad, Bihar, 804427.
10. Mukul, Son of Dinesh Kumar Mishra resident of Vill- Madhopur, Post- Basudeopur, P.S.- Kotwali, District- Munger, Bihar 811202.
11. Rajkishor Prasad, son of Shivdeni Singh, resident of Vill- Kharauna, Post- Hansadih, P.S.- Masaurhi, District- Patna, Bihar 804452.
12. Ranjeet Kumar, son of Late Bimal Singh, resident of Vill- Ghosaith, Post+P.S.- Pibazar, District- Lakhisarai, Bihar, 811112.
13. Pankaj Kumar Sharma, son of Parmeshwar Sharma, resident of Vill- Beherari, Post- Kiyotana, P.S.- Ghoghardiha, District- Madhubani, Bihar 847402.
14. Vivekanand Mishra, Son of Raj Kishor Mishra, Resident of At Moldiyar Tola, Pathak Ghat, PO+PS- Mokama, District- Patna, Bihar 803302
15. Raju Kumar, son of Shivshankar Yadav, resident of Vill- Rukunpur, Post+P.S.- Guraru, District- Gaya, Bihar 824118.
16. Santosh Kumar, son of Late Amar Singh, resident of At+Post- Marar, P.S.- Morkahi, District- Khagaria, Bihar, 851205.
17. Rajeev Kumar, son of Nandlal Yadav, resident of At- Kursela College Road, P.O.- A.G. Bazar, P.S. Kursela, District- Katihar.
18. Santosh Kumar, son of Rajgir Yadav, resident of Village+Post- Khodawandpur, P.S.- Khodawandpur, District- Begusarai.
19. Md. Faizan Raza, son of Md. Qutibduddin, resident of Vill- Abgila, Post+P.S.- Sahar, District- Bhojpur.

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. Principal Secretary, General Administration Department, Bihar, Patna.
3. Bihar Staff Selection Commission, Patna through its Secretary.
4. Chairman, Bihar Staff Selection Commission, Patna.
5. Secretary, Bihar Staff Selection Commission, Patna.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 5379 of 2016

=====

Shyam Kanhaiya son of Sri Balmiki Prasad Kashyap, resident of Mohalla- Surbhi Vihar, P.S.- Beur, District- Patna.

.... Petitioner

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar
2. The Principal Secretary, General Administration Department, Government of Bihar
3. The Bihar Staff Selection Commission through Chairman, Veterinary Hospital Compound, Patna
4. The Secretary, Bihar Staff Selection Commission, Patna
5. The Examination Controller, Bihar Staff Selection Commission, Patna.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 4716 of 2016

=====

Sushil Kumar Sinha Son of Sri Kapil Kumar Sinha resident of village Gangti, P.O. Alipur, P.S. Buniyadganj, District – Gaya.

.... Petitioner

Versus

1. The Bihar Staff Selection Commission, through its Secretary, P.O. Veterinary College, Patna-14.
2. The Secretary, Bihar Staff Selection Commission, P.O. Veterinary College, Patna-14.
3. The Examination Controller, Bihar Staff Selection Commission, P.O. Veterinary College, Patna-14.

.... Respondents

with

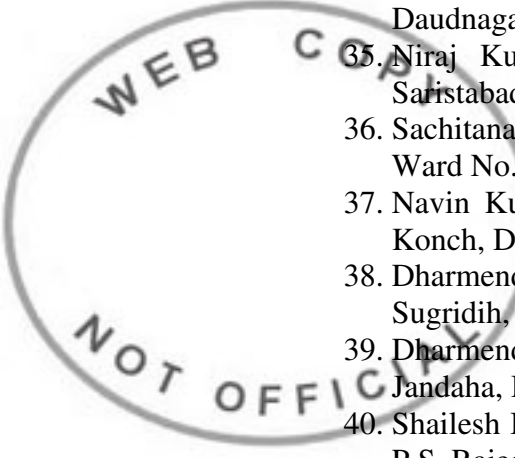
=====

Civil Writ Jurisdiction Case No. 5499 of 2016

=====

1. Subhash Paswan, Son of Ramji Paswan, resident of C/O Vinod Mehta, Maa Bhagwati Jagran, near Power Grid Pitamber Mandir, Gulzarbagh, P.S. Alamganj, District Patna.
2. Ashok Kumar, Son of Sahab Dayal Ram, resident of House No.298, Premchand Marg, Rajendra Nagar, P.S. Kadamkuan, District Patna.
3. Saurabh Kumar, Son of Vijay Prasad Singh, resident of Raghapur, P.S. Bibhutipur, District Samastipur.
4. Anay Kumar, Son of Sanjay Prasad, resident of Village Bhatbiga, G.B. Kendua, P.S. Sirdala, District Nawadah.
5. Chandan Kumar, Son of Murli Prasad, resident of Ashram Tola, bari Nagar, Guru Bazar, Barari, P.S. Barari, District Katihar.
6. Gautam Priyadarshi, Son of Awadhesh Kumar Sinha, resident of Village Dhurlakh, P.O. Bhuidhara, P.S. Samastipur, District Samastipur.
7. Satyendra Singh, Son of Baikunth Singh, resident of C/O Ramesh Tewari,

- North Mandiri, P.S. Budha Colony, District Patna.
8. Kishore Kumar Giri, Son of Paras Nath Giri, resident of Bhawaniganj, Garh Manjha, P.S. Manjhagarh, District Gopalganj.
 9. Rajan Kumar, Son of Ganesh Singh, resident of Manjhagarh, Briti Tola, Garh Manjha, P.S. Manjhagarh, District Gopalganj.
 10. Umanand Pandey, Son of Jagdish Pandey, resident of C/O Rajnarain Singh, Khajurbanna, Mahendru, P.S. Sultanganj, District Patna.
 11. Jyoti Punj Kumar, Son of Dinesh Prasad Bhagat, resident of Village Amarpur, Sonbarsa Kachahari, P.S. Sonbarsa, District Saharsa.
 12. Mithlesh Kumar Mandal, Son of Jawit Narain Singh, resident of Village Rajeyan, Yogi Bathan, Rajeyan, P.S. Piro, District Bhojpur.
 13. Sanjay Kumar, Son of Hira Lal Prasad, resident of Manjhagarh, Nai Bazar, Garh Manjha, P.S. Manjhagarh, District Gopalganj.
 14. Upendra Kumar Thakur, Son of Vishnudeo Prasad Thakur, resident of Village Partapur, P.S. Mehshi, District East Champaran.
 15. Kumar Upendra, Son of Bir Bahadur Singh, resident of B/20, Srikrishna Vihar Colony, Beur, P.S. Anisabad, District Patna.
 16. Arvind Kumar, Son of late Ram Phal Ram, resident of C/O Ram Bishun Ram, Mohalla Bishnupuri, Anisabad, P.S. Gardanibagh, District Patna.
 17. Upendra Kumar, Son of Siyaram Singh, resident of Rajeev Nagar, Road No.15E, P.S. Rajeev Nagar, District Patna.
 18. Rakesh Kumar, Son of Ram Surat Singh, resident of VIP Colony, Ward No.2, North Gali, Shahid Smarak, P.S. Bhabhua, District Kaimur at Bhabhua.
 19. Amit Kumar @ Ameet Kumar, Son of Jaiprakash Sah, resident of Pothia, P.S. Falka, District Katihar.
 20. Jyoti Shankar Bhandaru, Son of Ramanand Prasad, resident of Village Sasbahna, Ghuskuri, P.S. Ariyari, District Shekhpura.
 21. Shobha Narain, W/O of Bhola Shankar, resident of Kundwapar, Hilsa, P.S. Ekangarsarai, District Nalanda.
 22. Bhola Shankar, Son of Mithlesh Prasad Singh, resident of Kundwapar, Hilsa, P.S. Ekangarsarai, District Nalanda.
 23. Uma Shankar, Son of Mithlesh Prasad Singh, resident of Kundwapar, Hilsa, P.S. Ekangarsarai, District Nalanda.
 24. Sunil Kumar, Son of Ajay Thakur, resident of Village Shekhpurwa, Parsawa, P.S. Halsi, District Lakhisarai.
 25. Rakesh Kumar, Son of Bachcha Prasad Yadav, resident of Village Raghopur, Gangapipar, P.S. Chiraiya, District East Champaran.
 26. Sunil Kumar Roy, Son of Dharamdeo Roy, resident of Bhatauli, Chhatauna, P.S. Nokha, District Rohtas.
 27. Prem Chand Kumar Pappu, Son of Umesh Prasad Mandal, resident of C/O Satyanarain Mandal, Teacher, West of Degree College, Ward No.4, P.S. Sapaul, District Supaul.
 28. Shankar Pandit, Son of Nageshwar Prasad Pandit, resident of Village Hauzpur, P.S. Vaishali, District Vaishali.
 29. Akshay Kumar, Son of Suresh Prasad, resident of Village Sundarpur Pojhi, P.S. Dariyapur, District Saran.
 30. Sunny Kumar, Son of Bishwanath Prasad, resident of Village Ghorasahan, P.S. Ghorasahan, District East Champaran.
 31. Braj Bhushan Bharti, Son of Ravi Bhushan Paswan, resident of Village Purankama, P.S. Shekhpura, District Shekhpura.
 32. Shashi Bhushan Bharti, Son of Ravi Bhushan Paswan, resident of Village Purankama, P.S. Shekhpura, District Shekhpura.

- 
33. Laulendra Kumar, Son of Chando Mahto, resident of Village Jaimandal Bigha, P.S. Karpi, District Arwal.
 34. Neeraj Kumar, Son of Sunil Sharma, resident of Shamsher Nagar, P.S. Daudnagar, District Aurangabad.
 35. Niraj Kumar, Son of Krishnandan Prasad, resident of C/O Modi Roy, Saristabad, Purvi Tola, P.S. Gardanibagh, District Patna.
 36. Sachitanand Kumar, Son of Sadanand Prasad, resident of Hisua, Kurmi Tola, Ward No.11, P.S. Hisua, District Nawadah.
 37. Navin Kumar, Son of Mithlesh Sharma, resident of Village Chichaura, P.S. Konch, District Gaya.
 38. Dharmendra Kumar, Son of Ram Babu Prasad Yadav, resident of Village Sugridih, Chakshambhu, P.S. Runnisaidpur, District Sitamarhi.
 39. Dharmendra Kumar Singh, Son of Rajaram Singh, resident of Dhandhua, P.S. Jandaha, District Vaishali.
 40. Shailesh Kumar Singh, Son of late Ram Bilas Singh, resident of Road No.15D, P.S. Rajeev Nagar, District Patna.
 41. Bipin Kumar Jha, Son of Brajeshwar Jha, resident of Village Jogiara Via-Anandpur Jogiara, P.S. Bahadurpur, District Darbhanga.
 42. Gajendra Kumar, Son of Suresh Prasad, resident of Village Sahuli, P.S. Husainganj, District Siwan.
 43. Devendra Roy, Son of Babu Saheb Roy, resident of Bithauli, P.S. Baheri, District Darbhanga.
 44. Rajesh Kumar, Son of Parmeshwar Prajapat, resident of Village Barua Fatehpur, P.S. Fatehpur, District Gaya.
 45. Pankaj Avinash, Son of Nagendra Prasad Singh, resident of Jaiprakash Nagar, Shahid Ram Govind Singh Path, Anganwari Kendra 190, P.S. Jakkanpur, District Patna.
 46. Satish Kumar, Son of Dinanath Singh, resident of Village Byapur, P.S. Maner, District Patna.
 47. Sushant Shekhar, Son of Ashok Kumar Sharma, resident of Village Sabalpur, Bhabhan Toli, P.S. Sonpur, District Saran at Chapra.
 48. Vimlendu Shekhar, Son of Jitendra Prasad Sharma, resident of Machhligali, Kedar Nath Girls School Road, P.S. Jakkanpur, District Patna.
 49. Chintu Kumar, Son of Shailendra Singh, resident of Village Korai Garhpar, P.S. Begusarai, District Begusarai.
 50. Mukesh Kumar, Son of Prayag Singh, resident of K-187, P.C. Colony, Kankarbagh, Hanuman Nagar, Lohianagar, P.S. Patrakarnagar, District Patna.
 51. Amit Kumar, Son of Balram Singh, resident of C/O Binda Bihari Singh, Srikrishna Nagar, P.S. Motihari Town, District East Champaran.

.... Petitioners

Versus

1. The Bihar Staff Selection Commission through its Chairman.
2. The Chairman, Bihar Staff Selection Commission, Patna.
3. The Secretary, Bihar Staff Selection Commission, Patna.
4. The Examination Controller, Bihar Staff Selection Commission, Patna.

.... Respondents

with

=====

Civil Writ Jurisdiction Case No. 5654 of 2016

=====

1. Khalanand Kumar Singh, S/o Amod Singh, Resident of At+P.O- Babhani, P.S.-

- Gamhariya, Dist- Madhepura.
2. Vicky Kumar, S/o Raju Thakur, Resident of P.O. B.V. College, P.S. Airport, Dist- Patna.
 3. Shashi Bhushan Pandey, S/o Jagdish Chandra Pandey, Resident of Lackhachak, P.O. Raypur Koyal Bigha, P.S.- Tharthari, Dist- Nalanda.
 4. Shatrudhan Kumar, S/o Radhe Shyam, Resident of Nawada, P.O. Sihi, P.S. Dulhin Bazar, Dist- Patna.
 5. Shivshankar Saw, S/o Phuldev Saw, Resident of At Mahadeonagar, P.S. Sheikhpura, P.O.+Dist- Sheikhpura.
 6. Niranjan Kumar, S/o Surendra Prasad, Resident of At Mehtrawan, P.O. Bhatahar, P.S. Tharthari, Dist- Nalanda.
 7. Gaujan Kumar Paul, S/o Banbari Pandit, Resident of At Kumhartoli, Champanagar, P.O. Champanagar, P.S. Nathnagar, Dist- Bhagalpur.
 8. Keshav Kumar, S/o Lal Sharan, Resident of P.O. B.V. College, P.S. Airport, Dist- Patna.
 9. Manoj Kumar, S/o Nawal Kishor Yadav, Resident of Kapri Chak, P.O. Gorgama, P.S. Amarpur, Dist- Banka,
 10. Mukul Kumar, S/o Sri Gopal Prasad, Resident of Renu Heritage, F/411, Kankarbagh Colony, Dist- Patna.
 11. Deepak Kumar, S/o Tapeswar Prasad Singh, C/o Vijay Kumar, Mohanpur, Near Devi Mandir, Punaichak, Patna-23.
 12. Avinash Kumar, S/o Pradeep Kumar, Resident of Village Rohi, P.O.+P.S.- Barachatti, Dist- Gaya.
 13. Satya Prakash, Son of Yugal Kumar Verma, Resident of Village Mirzapur, P.O.+P.S.- Rosera, Dist- Samastipur.
 14. Suresh Chaudhary, S/o Shiv Dayal Chaudhary, Resident of Mohalla- Naya Tola Behind Bank of India, P.O.+Dist- Jehanabad.
 15. Nishakant Kumar, S/o Raghunandan Singh, Resident of Bariyarpur, P.O. Rahatpur, P.S. Ballia, Dist- Begusarai.
 16. Niranjan Kumar, S/o Sandho Yadav, Resident of Sadpur, P.O. Panchrukhi, P.S. Shahkund, Dist Bhagalpur (Bihar).
 17. Santosh Kumar Pandey, S/o Lalan Pandey, Resident of Village Asahani Asahani Rasulpur, Saran.
 18. Raju Kumar, S/o Surendra Roy, Resident of Village+P.O.+P.S.- Shahpur, Patna.
 19. Naveen Kumar, S/o Brijkishore Thakur, Resident of Village Rajapur, P.O. Kauria, P.S. Bashantpur, Dist- Siwan.

.... Petitioners

Versus

1. The State of Bihar through Chief Secretary, State of Bihar, Patna.
2. The Principal Secretary, General Administration, Government of Bihar, Patna.
3. Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna.
4. Chairman, Bihar Staff Selection Commission, Veterinary College, Patna.
5. Secretary, Bihar Staff Selection Commission, Veterinary College, Patna.

.... Respondents

Appearance :

(In CWJC No.4727 of 2016)

For the Petitioners	:	Mr. Kumar Kaushik, Advocate
For the State	:	Mr. Rishi Raj Sinha, S.C.19
		Mr. Avanindra Kumar Jha, A.C. to S.C.19

For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5122 of 2016)

For the Petitioners : Mr. Kumar Kaushik, Advocate
For the State : Mr. Rishi Raj Sinha, S.C.19
Mr. Avanindra Kumar Jha, A.C. to S.C.19

For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5210 of 2016)

For the Petitioners : Mr. Abhinav Srivastava, Advocate
For the State : Mr. Rajkishore Rai, G.P.18
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5258 of 2016)

For the Petitioners : Mr. Abhinav Srivastava, Advocate
For the State : Mr. Satyabrat Verma, G.P.6
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5379 of 2016)

For the Petitioner : Mr. Rakesh Kumar, Advocate
For the State : Mr. Vivek Prasad, G.P.7
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate

(In CWJC No.4716 of 2016)

For the Petitioner : Mr. Shailesh Kumar, Advocate
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5499 of 2016)

For the Petitioners : Mr. Prashant Sinha, Advocate
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

(In CWJC No.5654 of 2016)

For the Petitioners : Mr. Rajesh Kumar Singh, Advocate
Mr. Manoj Kumar, Advocate
Mr. Arbind Kumar Sharma, Advocate

For the State : Mr. Ajay Kumar Rastogi, A.A.G.8
For B.S.S.C. : Mr. Kamla Kant Upadhyay, Advocate
Mr. C.B. Das, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
CAV JUDGMENT
Date: 17-09-2016

After the result of the preliminary examination of the
Second Graduate Level Combined Competitive Examination was
published by the Staff Selection Commission (hereinafter referred to
as 'the Commission') on 03.02.2016, a batch of writ applications came

to be filed seeking quashing of the result. The primary ground on which quashing has been sought is that the O.M.R. sheets of the candidates have been evaluated by using erroneous model answers.

2. The submission on behalf of the petitioners, therefore, is that the corrected model answer key should be utilized for fresh evaluation and publication of the result giving a fair opportunity to one and all to participate in the mains examination.

3. The advertisement in question was issued on 01.09.2014 inviting applications from eligible candidates for various posts vacant in the State of Bihar. A copy of the advertisement is Annexure-2 to the writ application.

4. Since there were lakhs of candidates who responded to the said advertisement, the preliminary examination was conducted on two different dates. The first preliminary examination was conducted on 16.02.2015 and the second one on 23.02.2015.

5. After the conduct of the examination, the Commission published a model answer key on its website on 22.04.2015 and invited objections. Some of the petitioners submit that before all the objections could be filed and considered, the final answer key used by the Commission for evaluation was put on the website and even results of 17335 candidates was declared.

6. Since examination was conducted on two different



dates, the Commission adopted what is known as equi percentile equating and equalization of scores model to moderate the marks earned by the candidates of the two examinations. The Court was informed by the expert of the Commission that this model is used even in examinations, like, the I.I.Ts. etc. and has a scientific basis. The object of this formula is to bring about parity in evaluation so that the candidates are judged on some kind of a balanced parameters. The Court infact ordered the concerned person of the Commission to explain the concept of the modality and after going through the materials as well as the methodology, the Court is satisfied that the equi percentile model does not suffer from any kind of irrationality.

7. The Court, therefore, does not entertain any arguments on the above aspect of the matter and any submission made with regard to the said exercise for evaluation must rest at that.

8. Petitioners do state that their O.M.R. sheets, score card, the answer sheet along with the answer key used for evaluation of the O.M.R. sheets was put on the website of the Commission on 20.02.2016.

9. Petitioners also take a plea that the model answer key which was used for publishing the earlier result on 22.04.2015 had also undergone a change and the same was tinkered with. Infact such changes had its fall out in the sense that what was not a correct answer

in the earlier model answer key was shown to be correct or vice-a-versa. Objections, therefore, were raised and focus was limited to eight answers given in the final answer key used by the Commission for evaluation to demonstrate as to where the Commission has gone wrong and this has implications for the petitioners. If their correct answers were subsequently marked as wrong, it had its effect on the final result since these petitioners have missed out by very narrow margin. The Court would like to record that over a period of time, during course of arguments and after exchange of pleadings, the following position emerges with regard to the correct or incorrect answers provided to the questions for the two examinations.

10. For the examination dated 16.02.2015 which has been labeled as Set-A, the questions and model answers have been put in a tabular form which is reproduced herein below:

Sl. No.	Ques. No.	Model Answer	Expert's Answer	Commission's Answer	Correct Answer according to the petitioners/ Remarks
1	1	C	C	D	C
2	64	D	D	Delete	A
3	82	B	B	D	B
4	116	C	C	Deleted	B
5	117	B	B	Delete	B
6	126	D	D	D but later changed to A after the results were published	C
7	127	D	D	A	Should be deleted

11. For the examination dated 23.02.2015, the objections put in a tabular form are as follows:

Sl. No.	Ques.	Model	Expert's	Commission's	Correct Answer
---------	-------	-------	----------	--------------	----------------

	No.	Answer	Answer	Answer	according to the petitioners/ Remarks
1	12	A	B	B	A
2	44	C	C	C	Should be deleted
3	54	A	C	A	Should be deleted
4	72	C	C	D	
5	91	C	D	D	C
6	110	Delete	Delete	Delete	
7	115	B	D	D	B
8	125	A	D	D	A
9	137	A	A	D	Should be deleted

12. The counsels representing the petitioners, from the materials brought on record, have tried to make out a case that if the very foundation of evaluation is based on an erroneous model answers, the entire evaluation goes wrong and it will have a direct bearing on the candidates who otherwise perceive themselves to have qualified the preliminary examination.

13. It was demonstrated before the Court by the counsels for the petitioners that based on the objections received from the candidates, the matter was referred to a committee of experts and even the recommendation of the experts have not been accepted by the Commission in toto. Meaning thereby that changes were brought about to the model answers even by the Commission. Their apprehension is that this was done with an object and purpose and the sanctity of evaluation has been violated.

14. Very detailed counter affidavit has been filed on behalf of the Staff Selection Commission. They have explained the modality and the exercise which was undertaken by them in publication of the results of the preliminary examination. They have



also explained the reason for the changes in the model answer and the necessity for doing so. They have very pointedly made arguments that the Commission at its own level also sat with the question setters along with opinion of the experts. The experts suggestions on some of the questions and the model answers were found to be erroneous and on the basis of standard text and suggestions, certain changes were brought about. There was no hide and seek in the evaluation process and everything has been put on record in black and white. A reading of Annexure-S/1, which is the minutes of the meeting dated 21.12.2015 held by the Commission gives clear picture of what had been done, what had been decided and for what reason, by the Commission. The final position also emerges in the meeting of the Commission dated 05.03.2016 which has been annexed as Annexure-S/2.

15. Learned counsel representing the Commission on the basis of not only the assertion made in the counter affidavit but also from the minutes of the Commission's meeting and the materials including the opinion of the experts has ably assisted the Court in explaining the modality and the exercise done by the Commission before declaration of the result.

16. The Court has observed in the various litigations of such kind that whenever large scale recruitment is done by any agency, immediately the various coaching centers encash on that occasion by



offering quick solution, capsule courses for clearing the examination. Since there are no uniform standards maintained by such institutions who are more interested in making money out of the system as well as in claiming the largest number of success in an examination do also have a role to play in such litigations, which come before the Court. A lot of confusion with regard to the model questions and answers are created by such institutions as well because when they are confronted with the wrong answers which were provided to such candidates. To save their skin, they resort to substandard text and materials to justify their module.

17. The Court, therefore, will not get persuaded by such inputs which are used by the candidates in initiating a legal process for cancellation of such examinations. The Court, however, has with an open mind gone through the questions and answers as well as the basis for the changes which was required to be made by the Staff Selection Commission. The Court will neither go by the opinion of one set of counsels representing the petitioners or the submission made on behalf of the Staff Selection Commission but having examined the questions and the answers as well as the reasons for sticking to certain answers by the Staff Selection Commission, in evaluation of the answer sheet of these candidates, does come to a considered opinion that there is neither any motive nor any omission on the part of the Staff Selection



Commission in finally zeroing down on the right answers to the questions which are subject matter of dispute. The final position clearly emerges from the minutes of the decisions which have been annexed as Annexures S/1 and S/2. It clearly vindicates the position taken by the Commission. The Court infact has no hesitation in saying that the failed candidates have painted a larger than life picture than what it is in reality. Obviously there is a reason for doing so.

18. In totality, therefore, no case as such is made out to interfere with the results of the preliminary examination conducted by the Commission. Infact the Court has been further informed that even the mains examinations have now been held by the Staff Selection Commission and since this Court has not found things a-miss to interfere with the declaration of result of the preliminary examination, therefore, the petitioners cannot succeed and the Court will not give any direction for reevaluation of the answer sheet on the basis of the so called model answer suggested by the candidates, to the questions which are subject matter of dispute.

19. The Court would also like to take note of another factual aspect which was addressed by certain counsels for the petitioners. The issue here is that the repeated evaluation also resulted in changes in the final result of the preliminary examination which has its own consequence in the sense that 858 candidates got dislodged



and 921 candidates were included when the second round of result was declared. This aspect was also gone into by the Court and the Commission has explained the reason thereof. According to them based on the objections of the candidates, the experts' opinion was sought. There was variation of almost 30% to the answers suggested by the candidates and the one suggested by the experts, therefore, with a view to ensure more accuracy the Commission consulted the question setters and it is basically the questions setters suggestion to the model answers which was shown as answers of the Commission. This was also a matter of attack by the petitioners that it was the Commission which had made changes on its own. The Commission does accept that after the publication of the first round of results, more objections were received from the candidates, and it is only after the said deliberation, that a second evaluation was required. This has also been talked about in the minutes of the meeting contained in Annexures S/1 and S/2. The above fact on a very superficial level may create misgivings but the reasons being what they are, nothing more is required to be read into this aspect of the matter as well.

20. The Court would also like to record that a complete and detailed compilation of the disputed questions has been handed over to the Court. It provides the complete basis for reaching the correct answers which was used for evaluation. This forms part of the

record and has also been relied upon. The Court has not reproduced those questions and answers from the compilation as it did not want to add unnecessary bulk to the order. Besides the said compilation was shared and is referable material and is available for ready reference as it forms part of this record. This compilation also, therefore, supports the final position and the basis for the model answers which were used for evaluation by the Commission which led to declaration of the final result of the preliminary examination. The same does not suffer from any material irregularity.

21. The writ applications have no merit and so are dismissed.

(Ajay Kumar Tripathi, J.)

S.Kumar/-

AFR/NAFR	AFR
CAV DATE	27.07.2016
Uploading Date	17.09.2016
Transmission Date	