

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11939 of 2015

=====

Mithilesh Kumar Son of Shree Durga Prasad Sah, Resident of Village -
Gaddi, P.O. - radha Nagar, P.S. - Raghapur, District - Supaul.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, Department of Prsonnel and Administrative Reforms, Government of Bihar, Patna.
4. The Bihar Public Service Commission, 15 Bailey Road, Patna through its chairman.
5. The Chairman, Bihar Public Service Commission, 15 Bailey Road, Patna.
6. The Examination Controller, Bihar Public Service Commission, 15 Bailey Road, Patna.
7. Mr. K.P. Saha, Former Chairman of Bihar Public Service Commission, 15 Bailey Road, Patna.

.... Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Amrit Abhijat, Advocate
		Mr. Manoj Kumar Gupta, Advocate
For the BPSC	:	Mr. Sanjay Pandey, Advocate
For the State	:	Mr. Manish Dhari Singh, AC to AG

=====

CORAM: HONOURABLE THE CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY**

ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

5 23-08-2017 Considering the fact that the method of selection and the validity of the rules have been challenged by the petitioner after participating in the entire selection process and after failing in the selection, in view of the law laid down by the Supreme Court in this regard in the case of **Ashok Kumar & anr. Vs. The State of Bihar and others: (2017) 4 SCC 357**, we



see no reason to make indulgence into the matter.

Once the petitioner consciously taken part in the selection process, as per the law laid down by the Supreme Court he cannot turn around and again challenge the method of selection as he has participated in the selection process.

The writ petition is dismissed.

(Rajendra Menon, CJ)

S.Pandey/-

(Anil Kumar Upadhyay, J)

U			
---	--	--	--

