

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1961 of 2015

In

Civil Writ Jurisdiction Case No.11062 of 2008

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Madan Mohan, Son of Dhuldeo Yadav, resident of Village Aurhavia Narhaiya, District- Madhubani, C/o Dr. C.B. Yadav Gangjala, Ward No.19/2006, Police Station Saharsa, District- Saharsa and at present Mahindra Apartment, Munachak, Rajendra Nagar, Police Station Kankarbagh, District- Patna.

... .. Petitioner-Appellant/s

Versus

1. The State of Bihar.
2. The Chairman, Bihar Public Service Commission 15, Jawaharlal Nehru Marg Bailey Road, Patna.
3. The Deputy Secretary, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg, Bailey Road, Patna.
4. The Deputy Secretary cum Examination Controller Bihar, Public Service Commission, 15 Jawaharlal Nehru Marg, Bailey Road, Patna.
5. The Examination Controller, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg, Bailey Road, Patna.
6. The Center Superintendent, D.A.V. Public School B.S.E.B Colony, New Punaichak, Patna-23.

... .. Respondents- Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s : Mr. Anjani Kumar- AAG-6

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 04-09-2017

Seeking exception to an order dated 24.08.2015 passed by the Writ Court in CWJC No.11062 of 2008, this appeal has been filed under Clause 10 of the Letters Patent.

Petitioner was a candidate who had appeared in the recruitment process conducted by the Bihar Public Service Commission in the year 2006 for the post of Assistant Engineer.



When the petitioner was not declared successful, he filed the writ petition and the record indicates that in the proceedings held before the Writ Court, the answer book of the petitioner was called for and it was observed that the petitioner had not marked the question booklet series in the answer sheet for Civil Engineering Paper VI properly and all the columns A, B, C and D had been left blank which was required to be done as per the instructions and finding due to this error of the petitioner, answer sheet was not at all evaluated, refused to interfere in the matter. The observation made in the writ petition reads as under:

“BPSC takes a stand, which seems to be borne out from a look on the answer-sheet of the petitioner that he actually did not mark the booklet series as all the columns A, B, C and D have been left blank.”

We see no error in the order passed by the learned Writ Court warranting reconsideration. The appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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