

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4269 of 2017

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1. Rai Gaurav Bahadur, S/o Rai Satish Bahadur, Resident of Mohalla- Flat No. - 304, Shyam Kutir Apartment, Sidharth Nagar, Jagdeo Path, P.S.- Rupaspur, District- Patna

.... Petitioner/s

Versus

1. The Bihar Public Service Commission through its Secretary, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
2. The Secretary, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
3. Additional Secretary-cum-Examination Controller, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : None

For the Respondent/s : Mr. Zaki Haider, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 08-05-2017

None for the petitioner on call.

A counter affidavit on behalf of the Bihar Public Service Commission was duly served on 1st of May, 2017 upon the counsel for the petitioner. No rejoinder has been filed.

Writ application has been filed for a direction upon the BPSC to provide for reservation for visually impaired candidates for which no provision has been made either in the advertisement or any kind of instruction issued in relation to the said exercise for recruitment. This is in relation to 29th Bihar Judicial Service



Competitive Examination, which is for filling up the post of Junior Division Judges in the Subordinate Courts.

This issue had also travelled earlier by yet another petitioner, who was Virmani Kumar, in CWJC No.2962 of 2017 wherein this Division Bench dismissed the writ application on 21.02.2017 holding that since the Bihar Civil Service (Judicial Branch) (Recruitment) Amendment Rules, 2016 does not provide for reservation for visually handicapped candidates but is limited to just one category i.e. people suffering from locomotion issue, non-provision for reservation for visually disabled candidates is no infirmity in the eye of law.

The writ application, therefore, has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	AFR
CAV DATE	NA
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Transmission Date	NA

