

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1202 of 2014

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1. Chandan Kumar Sharma @ Chandan Kr Sharma Son Of Late Manohar Mistry Resident Of Village - Gudru, P.O. and P.S. - Guraru, District - Gaya, Pin - 824118
 2. Raj Kishore Choudhary Son Of Jageshwar Choudhary Resident Of Village - Madhepur, P.O. And P.S. - Kashichak, District - Nawada, Pin - 805130
 3. Arun Kumar Son Of Iswar Dayal Choudhary Resident Of Village - Bhareti, P.O. And P.S. - Wazirganj, District - Gaya, Pin - 805131
 4. Rajendra Kumar Son Of Sakhi Chandra Das Resident Of Village - Nagdah Bichla Tola, P.O. - Nagdah Via - R.T.S., P.S. - Mufasil, District - Begusarai, Pin - 851117
 5. Awadhesh Kumar Son Of Sheo Kumar Singh Resident Of Village - Manjathi, P.O. - Khajuri, P.S. - Konch, District - Gaya, Pin - 824207
 6. Raju Kumar Son Of Radheshyam Baitha Resident Of Village - Kishunpur, Madhuban, P.S. - Kurhani, District - Muzaffarpur, Pin - 844127

.... Petitioners

Versus

1. The Bihar State Staff Selection Commission through its Chairman, Veterinary College, Patna
2. Chairman , Bihar Staff Selection Commission, Veterinary College, Patna
3. Secretary, Bihar Staff Selection Commission, Veterinary College, Patna
4. The State of Bihar through Chief Secretary, Patna Secretariat, Patna
5. The Principal Secretary, Water Resources Department, Govt. of Bihar, Patna Secretariat, Patna

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Anjani Kumar Jha, Advocate
For the Respondent/s : Mr. Devendra Kr Sinha

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 15-09-2017 Heard both sides.

The petitioners have prayed for the following reliefs :

“For quashing the arbitrary action of the respondent Commission in publication of result declared on 16.7.2013 of advertisement no.1406 of 2006 in which after re-evaluation of the answer scripts the petitioners, in spite of having securing higher marks than the earlier evaluation,



have been declared unsuccessful by applying imaginary criteria by the respondent Commission in violation of the letter and spirit of the order of the Hon'ble Supreme Court judgment dated 13.3.2013 passed in Civil Appeal No.2515-2516 of 2013.”

Learned counsel for the Commission, referring to paragraph-7 of the counter affidavit, submitted that in the light of the order of the Hon'ble Supreme Court, the petitioners have been placed at sl.nos.10, 21, 28, 18, 4 and 26 respectively in the list of 38 candidates and they have been recommended for appointment on the post of Junior Engineer vide letter no.1745/AA dated 19.7.2013 followed by letter no.3482/AA dated 12.12.2013.

In this view of the fact, the writ petition has become infructuous.

As prayed for, the writ petition is disposed of as has become infructuous.

Since the petitioners have already been appointed, the petitioners may raise the issue of seniority on the basis of marks obtained in the written examination in a fresh writ petition. The petitioners may take any other grounds available to him in the fresh writ petition.

(Prabhat Kumar Jha, J)

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