

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.13658 of 2016

- =====
1. Randhir Bhardwaj, S/o Sri Surendra Nath Rai, Resident of Mohalla- Sudhankarpur New Colony, Post- Subhankarpur, P.S. Darbhanga Sadar, District- Darbhanga, Pin Code- 846006.
 2. Rakesh Kumar, S/o Gupteshwar Singh, Resident of Village- Barhuil, P.O.- Bhatti, P.S.- Mohania, Prakhand- Mohania, District- Kaimur, Bihar, Pin Code- 821109.
 3. Tanwirul Haque, S/o Md. Sayeedul Haque, Resident of Village + P.O.+ P.S.- Rahika, District- Madhubani, Pin Code- 847238.
 4. Satyendra Prasad Singh, S/o Sri Shankar Prasad Singh, Resident of Village- Sakra Faridpur, Near Registry Office, P.O. Dholi, P.S.- Sakra, District- Muzaffarpur, Pin Code- 843105.
 5. Satyendra Kumar Thakur, S/o Late Sinheshwar Thakur, Resident of Village + P.O.- Jogyara, Via- Anandpur, Prakhand + P.S.- Bahadurpur, District- Darbhanga, Pin Code- 847001.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Agriculture Department, Government of Bihar, Patna.
3. The Director (Agriculture), Agriculture Department, Government of Bihar, Patna.
4. Bihar Staff Selection Commission through its Secretary, Veterinary College Campus, Patna- 800014.
5. The Chairman, Bihar Staff Selection Commission, Veterinary College Campus, Patna- 800014.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 15063 of 2016

=====

1. Vidyarthi Kumar, son of Shri Lok Nath Prasad, resident of Village and Post- Kesath, P.S. Nawanganar, District- Buxar.
2. Shashi Bhushan Yadav, son of Bholanath Yadav, resident of Village- Maharaj Ke Tola, P.O.- Khawashpur, P.S.- Krishnagarh, District- Bhojpur at Arrah.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Agriculture, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Old Secretariat, Bihar, Patna.
4. The Director Agriculture, Department of Agriculture, Govt. of Bihar, Patna.
5. The Deputy Director of Agriculture (Administration), Department of Agriculture, Government of Bihar, Patna.
6. The Joint Agriculture Director, Patna Division, District- Patna.
7. The Agriculture Production Commissioner, Department of Agriculture, Government of Bihar, Patna.
8. The District Agriculture Officer, Bhojpur, District- Bhojpur at Arrah.
9. The Bihar Staff Selection Commission through its Chairman.
10. The Chairman, the Bihar Staff Selection Commission, Veterinary College Compound, P.O.- B.V. College, Patna.
11. The Secretary, the Bihar Staff Selection Commission, Veterinary College



Compound, P.O.- B.V. College, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 2777 of 2017

=====

Nishant Kumar, Son of Baidyanath Prasad, Resident of Village-Nawada, P.O. Gangeya, P.S.Katra, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Secretary, Agriculture Department, Bihar, Patna.
3. The Director of Agriculture, Agriculture Department, Bihar, Patna.
4. The Bihar Staff Selection Commission, Patna through Secretary.
5. The Secretary, Staff Selection Commission, Bihar, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 4196 of 2017

=====

Shailesh Kumar Sinha, Son of Bindhyachal Prasad, Resident of 530, Radhunathpur Tola, Police Station- Turkauliya, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Agriculture Department, Govt. of Bihar, Patna.
3. The Director (Agriculture), Agriculture Department, Govt. of Bihar, Patna.
4. The Chairman, Bihar Staff Selection Commission, Veterinary College Campus, Patna.
5. The Secretary, Bihar Staff Selection Commission, Veterinary College Campus, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 13871 of 2016

=====

1. Shashi Bhushan Kumar Vidyarthi, S/o Late Ramdeo Prasad Singh, Resident of Village- Dharampur, P.O.- Hilsa, P.S.- Hilsa, District- Nalanda.
2. Shailendra Kumar, S/o Sri Ram Lakhna Prasad, Resident of Village- Kasmara, P.O- Rupow, P.S.- Rupow, District- Nawada.
3. Navneet Ranjan, S/o Shailendra Kumar, Resident of village- Harnaut, Adarsh Nagar, P.O. and P.S.- Harnaut, District- Nalanda.
4. Akshay Nandan Prasad, S/o- Sri Shiv Nandan Prasad, Nandan Bhawan, Garhpar, P.O. Biharsharif, P.S- Bihar Thana, District- Nalanda.
5. Harendra Kumar Mishra, S/o - Ramteerath Mishra, Resident of Village- Bhopatpura, P.O- Bhopatpura, P.S.- Khampar, District- Deoria (Uttar Pradesh).
6. Arun Kumar, S/o- Sri Sudarshan Pandey, Resident of Village- Tirojpur, P.O- Deohalia, P.S.- Durgawati, District- Kaimur.
7. Raj Kumar Chaurasia, S/o- Shree Radhe Chaurasia, Resident of Village- Banki Singhi, P.O- Langra Bazar, P.S.- Bhaluwani, District- Deoria (U.P.).
8. Rajeev Kumar Singh, S/o- Late Phuleswar Prasad Singh, Resident of village- Parora, P.O- Sanha, P.S Sahebpur Kamal, District- Begusarai.
9. Mithilesh Kumar Kranti, S/o- Late Harinandan Yadav, Resident of Village-



Naulakhia, P.O. Madhepura, (Ward No.1), P.S.- Madhepura, District-Madhepura.

10. Manoj Singh, S/o Sri Radheshyam Singh, Resident of Village- Gauri, P.O- Gauri, P.S.-Ahraula, District- Ajamgarh (U.P.).
11. Manoj Kumar, S/o- Late Kameshwar Prasad Yadav, Resident of Mohalla- Gangjala (Ward No.16), Islamian Chowk, P.O. Gangjala, P.S- Saharsa, District- Saharsa.
12. Bijay Kumar, s/o- Late Deepnarayan Yadav, Resident of Village- Belha, P.O- Baijnathpur, P.S.- Saur Bazar, District- Saharsa.
13. Anil Kumar Mishra, S/o Late Deo Narayan Mishra, Resident of Village- Kathon, P.O- Kathon, P.S. Rajoun, District- Banka.
14. Nijraj Kishore Jha, S/o- Late Nawal Kishore Jha, Resident of Village- Khadhara, P.O.- Khadhara, P.S.- Barahat, District- Banka.
15. Ashwani Kumar Srivastva, S/o- Shyam Bihari Srivastva, Resident of Village- Rajoum, P.O. + P.S.- Rajoum, District- Banka.
16. Amar Kumar, S/o- Late Avinash Chandra Yadav, Resident of Village- Chausa, P.O + P.S.- Chausa, District- Madhepura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The Agriculture Production Commissioner, New Secretariat, Government of Bihar, Patna.
3. The Director Agriculture, Department of Agriculture, New Secretariat, Government of Bihar, Patna.
4. The Secretary, Department of Agriculture, New Secretariat Government of Bihar, Patna.
5. The Director (Administration) cum Additional Secretary, Agriculture Department, New Secretariat, Government of Bihar, Patna.
6. The Joint Secretary to the Government, Agriculture Department, New Secretariat, Government of Bihar, Patna.
7. The Chairman, Bihar Staff Selection Commission, Near Veterinary College, Patna.
8. The Secretary, Bihar Staff Selection Commission, Near Veterinary College, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 15090 of 2016

=====

1. Ravi Nandan Srivastava, son of late Sachchidanand Pankaj, Resident of Village and Post- Bishunpur Patti, P.S.-Sahebganj, District-Muzaffarpur. Presently, residing at Sachchidanand Kunj, Jai Prakash Nagar, Village and Post- Damodarpur (Via-Patahi), District-Muzaffarpur.
2. Sumit Kumar, son of Sri Radhakrishna Mishra, Resident of Village-Shiv Nagar, Fardogola, P.O.-Bhagwanpur, P.S.-Musahari, District-Muzaffarpur.
3. Mukesh Kumar Singh, son of Sahdeo Singh, Resident of Village and Post- Maithi, P.S.-Gaighat, District-Muzaffarpur.
4. Ranjeet Kumar Ray, son of Mithilesh Rai Resident of Village-Mukundpur, P.O.-Bahadurpur Patori (Via-Sahpur Patori), P.S.-Patori, District-Samastipur Nagar, Dighi Kala East, Chaila Chowk, P.S.-Hajipur, District Vaishali at Hajipur.
5. Sunil Kumar, son of Krishna Chandra Prasad, Resident of Village-Balwapar, P.O.-Chakwai, P.S.-Warsaliganj, District-Nawada.
6. Vishnu Vaibhav, son of late Chandeshwar Thakur, Resident of Village-Jogani Jaga, Post-Wariyarpur, P.S.-Sakara, District-Muzaffarpur.



.... Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Department of Agriculture, Govt. of Bihar, Patna.
3. The Principal Secretary, Department of General Administration, Old Secretariat, Bihar, Patna.
4. The Director Agriculture, Department of Agriculture, Govt. of Bihar, Patna.
5. The Deputy Director of Agriculture (Administration), Department of Agriculture, Government of Bihar, Patna.
6. The Joint Agriculture Director, Muzaffarpur Division, District-Muzaffarpur.
7. The Agriculture Production Commissioner, Department, of Agriculture, Government of Bihar, Patna.
8. The District Agriculture Officer, District-Muzaffarpur.
9. The Bihar Staff Selection Commission, through its Chairman.
10. The Chairman, Bihar Staff Selection Commission, Veterinary College, Compound, P.O.-B.V. College, Patna.
11. The Secretary, Bihar Staff Selection Commission, Veterinary College, Compound, P.O.-B.V. College, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 15845 of 2016

=====

1. Rajeev Nayan, son of Sri Nawal Prasad Singh, resident of village- Malikpur, P.S.- Akbarpur, District- Nawada.
2. Sumit Kumar Singh, son of Ram Babu Singh, resident of village- Dhankaul, P.S.- Simri, District- Darbhanga.
3. Pranav Anand, son of Ram Pravesh Rai, resident of village+ P.O.- Gulzarpur, P.S.- Sahar, District- Bhojpur (Ara).
4. Sonu Kumar, son of Shankar Prasad Yadav, resident of At+P.O.- Temtha, P.S.- Parbatta, District- Khagaria.
5. Amit Kumar Pandey, son of Manik Chand Pandey, resident of village- Damodarpur, P.S.- Garwar, District- Balia (U.P.).
6. Ghanshyam Kumar, son of Uma Shankar, resident of New Area Nawada, Hanuman Nagar, Nawada, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Agricultural Department, Government of Bihar, Patna.
3. The Agriculture Director, Bihar, Patna.
4. The Bihar Staff Selection Commission through its Secretary, Veterinary College, Patna- 14.
5. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna- 14.
6. Mantu Kumar Yadav, father's name and address not known to the petitioner.
7. Ram Vishal Yadav, father's name and address not known to the petitioner.
8. Nitish Kumar, father's name and address not known to the petitioner.
9. Sanjeev Kumar, father's name and address not known to the petitioner.

Respondent no 6 to 9 all through its Secretary, Bihar Staff Selection Commission, Veterinary College, Patna- 14.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 16232 of 2016

=====



=====

Balram Kumar Pandey, son of Anirudh Kumar Pandey, resident of Village-
Kadibigha, P.O. - Bhaganbigha, P.S. - Rahui, District - Nalanda at Biharsharif.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, Patna.
2. The Director, Directorate of Agriculture, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Chairman, Bihar, Patna.
4. The District Magistrate, Nalanda at Biharsharif.
5. The District Agriculture Officer, Nalanda at Biharsharif.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 1806 of 2017

=====

Trilok Path Nath, Son of Pashu Pati Nath, Resident of Village/Mohalla - Bhandajor,
Police Station – Roh, District - Nawada.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Department of Agriculture Government of Bihar, Patna.
3. The Agriculture Director, Directorate of Agriculture under Department of Agriculture, Govt. of Bihar, Patna.
4. The Principal Secretary, Department of General Administration, Govt. of Bihar, Patna.
5. The Chairman, Bihar Staff Selection Commission, Veterinary College, Patna - 14.
6. Satyendra Kumar Dubey, Roll No. 21500100 father's name and address not known to the petitioner.
7. Pradeep Kumar Singh, Roll No. 21501728 date of birth 15.11.1985, father's name and address not known to the petitioner.
8. Manoj Kumar Pandey, Roll No. 21504762 date of birth 10.01.1975, father's name and address not known to the petitioner.
9. Abhay Kumar Singh, Roll No. 21504341 date of birth 07.12.1969, father's name and address not known to the petitioner.
10. Shiv Kumar Sharma, Roll No. 21503882 date of birth 04.11.1967, father's name and address not known to the petitioner.
11. Pramod Kumar Singh, Roll No. 21505253 date of birth 05.12.1977, father's name and address not known to the petitioner.
12. Rajesh Kumar, Roll No. 21510121 date of birth 16.12.1981, father's name and address not known to the petitioner.
13. Manoj Kumar Singh, Roll No. 21506075 date of birth 09.05.1970, father's name and address not known to the petitioner.
14. Vijay Kumar Prasad, Roll No. 21500106 date of birth 04.11.1964, father's name and address not known to the petitioner.
15. Jitendra Kumar Singh, Roll No. 21514493 date of birth 20.01.1967, father's name and address not known to the petitioner.
16. Devendra Nath Jha, Roll No. 21504363 date of birth 02.02.1968, father's name and address not known to the petitioner.
17. Jitendra Kumar, Roll No. 21506682 date of birth 08.11.1969, father's name and address not known to the petitioner.
18. Santosh Kumar Singh, Roll No. 21511867 date of birth 25.01.1970, father's name and address not known to the petitioner.



19. Karm Raj, Roll No. 21511348 date of birth 27.10.1973, father's name and address not known to the petitioner.
20. Anil Kumar Dwivedi, Roll No. 21510119 date of birth 22.01.1967, father's name and address not known to the petitioner.
21. Khem Chand Kumar Jaiswal, Roll No.21510960 date of birth 08.11.1971, father's name and address not known to the petitioner.
22. Sunil Kumar Giri, Roll No. 21508200 date of birth 26.03.1968, father's name and address not known to the petitioner.
23. Murari Sharan Sharma, Roll No. 21514068 date of birth 25.11.1966, father's name and address not known to the petitioner.
24. Amar Prakash Mishra, Roll No. 21514100 date of birth 10.02.1970, father's name and address not known to the petitioner.
25. Uday Kumar Singh, Roll No. 21504447 date of birth 15.10.1969, father's name and address not known to the petitioner.
26. Dheerendra Narayan Singh, Roll No. 21502536 date of birth 25.11.1968, father's name and address not known to the petitioner.
27. Anil Kumar Sunil, Roll No. 21507387 date of birth 01.03.1977, father's name and address not known to the petitioner.
28. Chandra Shekhar Singh, Roll No. 21511626 date of birth 25.12.1976, father's name and address not known to the petitioner.
29. Sanjay Kumar, Roll No. 21512421 date of birth 15.05.1974, father's name and address not known to the petitioner.
30. Shashi Kant Singh, Roll No. 21501755 date of birth 05.12.1956, father's name and address not known to the petitioner.
31. Sanjay Kumar Jha, Roll No. 21504918 date of birth 01.12.1971, father's name and address not known to the petitioner.
32. Kamal Kumar Sinha, Roll No. 21503483 date of birth 01.05.1957, father's name and address not known to the petitioner.
33. Hemant Kumar Shrivastava, Roll No. 21514627 date of birth 12.01.1980, father's name and address not known to the petitioner.
34. Indira Raman Rai, Roll No. 21508155 date of birth 06.11.1956, father's name and address not known to the petitioner.
35. Anil Kumar, Roll No. 21505368 date of birth 16.01.1961, father's name and address not known to the petitioner.

Respondent no. 6 to 35 all through the Secretary, Bihar Staff Selection Commission, Veterinary College, Patna - 14.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 14833 of 2016

=====

1. Dhananjay Kumar Rai, son of Laxman Rai, resident of village- Rampur, P.O.- Rampur, P.S.- Rajpur, Dist- Buxar.
2. Bimal Kant Prasad, son of Brij Mohan Prasad, resident of village- Simri Bhan Bharauli Patti, P.O.+P.S.- Simri, Dist- Buxar.
3. Pawan Kumar, son of Mangal Prasad, resident of village- Mitralok Colony Pandeypati, P.O.- Pandeypati, P.S.- Buxar (M), Dist- Buxar.

.... Petitioner/s

Versus

1. The State of Bihar through the Agriculture Production Commissioner, Government of Bihar, Patna.
2. The Secretary, Agriculture Department, Government of Bihar, Patna.
3. The Director Agriculture, Bihar, Patna.
4. The Secondary, Bihar Staff Selection Commission, Veterinary College, Patna.

.... Respondent/s



With

=====

Civil Writ Jurisdiction Case No. 18608 of 2016

=====

Avinash Kumar, son of Yogendra Prasad, resident of Village : Khapatia, Nalan,
P.S.: Nalanda, Dist : Nalanda, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar through the Commissioner, Department of Agriculture, Govt. of Bihar, Patna.
2. The Secretary, Staff Selection Commission, Bihar, Patna.
3. The Director, Bihar Agriculture Management and Training Institute, Department of Agriculture, Govt. of Bihar, Patna.
4. The Dist. Magistrate, Nalanda, Bihar, Patna.
5. The District Agriculture Officer, Nalanda, Bihar, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 19111 of 2016

=====

1. Ashish Kumar Choudhary, Son of Sri Kamlesh Choudhary, Resident of Sotilane, Quarter No. 1 Near Raj Power House, Kadirabad, P.S. L.N.M.U., District - Darbhanga.
2. Mukesh Kumar, Son of Sri Madan Mohan Choudhary, Resident of Village - Belsandi, P.S. Chalemeshi, District - Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department, Government of Bihar, Vikash Bhawan, Patna.
2. The Director, Agriculture Department, Government of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Secretary, Post - Veterinary College, Patna.
4. The Secretary, Bihar Staff Selection Commission, Patna.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 13812 of 2016

=====

1. Ram Suresh Yadav, son of Late Meghan Yadav, R/o village & P.O. - Barka Rajpur, P.S. - Simri, Dist - Buxar.
2. Swatee Kumari wife of Amardeep Kumar Amar resident of At & P.O. - Dighri, P.S. Kodha, District - Katihar.
3. Ranjan Kumar, son of Late Jagdeesh Mahto, R/o at Sanha Naya Tol, P.O. - Bakhadda, P.S. - S. Kamal, Dist. - Begusarai.
4. Rakesh Kumar Mandal, son of Nawal Kishore Mandal, R/o at Kushiya, P.O. - Bastaul, Via - Mahadeopur, Dist. Katihar.
5. Pradeep Kumar, son of Sheo Prasad Yadav, R/o Vill - Pipra Tol, P.O. - Parwa, P.S. - Jainagar, Distt. Madhubani.
6. Prabhansh Kumar, S/o Bholu Prasad Yadav, R/o Vill - Lalpatti, P.O. - Baghla, P.S. - Triveniganj, Distt. Supaul.
7. Dharmendra Kumar, son of Satya Narayan Prasad Sah, resident of village - Mohra Ghat, P.S. - Allouli, District - Khagaria at present C/o Pappu Gupta, Mill Road, Marshal Gali, P.S. - Khagaria, Distt. - Khagaria.



.... Petitioner/s

Versus

1. The State of Bihar through the Agriculture Production Commissioner, Government of Bihar, Patna.
2. The Secretary Agriculture Department, Government of Bihar, Patna.
3. The Director Agriculture, Bihar, Patna.
4. The Secretary, Bihar Staff Selection Commission, Veterinary College, Patna.

.... Respondent/s

Appearance :

(In CWJC No.13658 of 2016)

For the Petitioner/s : Mr. Y.V. Giri, Sr. Advocate with
Mr. Nityanand Mishra, Adv.
Mr. Rajesh Kumar Singh, Adv.

For the Respondent-State : Mr. Chittaranjan Sinha, PAAG-2

For Intervener-Respondents: Mr.Mr. Vinod Kumar Kanth, Sr. Adv. with
Mr. Mrigank Mouli, Adv.
Mr. Amresh Kumar Sinha, Adv.

(In CWJC No.15063 of 2016)

For the Petitioner/s : Mr. Nityanand Mishra, Adv.

For the Respondent/s : Mr. Awanish Nandan Sinha, GP-21

(In CWJC No.2777 of 2017)

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Respondent-State : Mr. Sarvesh Kr.Singh, AAG-13

(In CWJC No.4196 of 2017)

For the Petitioner/s : Mr. Vipin Kumar Singh, Adv.

For the Respondent-State : Mr. Gajendra Pd.Yadav, SC-17

(In CWJC No.13871 of 2016)

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Respondent-State : Mr. Raghwanand, GA-11

For the Respondent-SSC : Mr. Lalit Kishore, PAAG-1
Mr. Chandra Bhushan Das, Adv.

(In CWJC No.15090 of 2016)

For the Petitioner/s : Mr. Nityanand Mishra, Adv.

For the Respondent-State : Mr. Chittaranjan Sinha, PAAG-2

(In CWJC No.15845 of 2016)

For the Petitioner/s : Mr. Dinu Kumar, Adv.
Mr. Arvind Kumar Sharma, Adv.

For the Respondent-State : Mr. Chittaranjan Sinha, PAAG-2

(In CWJC No.16232 of 2016)

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Adv.

For the Respondent-State : Mr. Raghwanand, GA-11
Mr. Sanjay Kr. Tiwari, AC to GA-11

For the Respondent-SSC : Mr. Lalit Kishore, Sr. Adv.

(In CWJC No.1806 of 2017)

For the Petitioner/s : Mr. Mohammed Arif, Adv.

For the Respondent/s : Ms. Jahan Ara, AC to GP-14

(In CWJC No.14833 of 2016)

For the Petitioner/s : Mr. Pranav Kumar, Adv.

For the Respondent-State : Mr. Gajendra Pd.Yadav, SC-17

(In CWJC No.18608 of 2016)

For the Petitioner/s : Mr. Mohammed Arif, Adv.

For the Respondent-State : Mr. Dhurjati Kumar Prasad, GP-14

(In CWJC No.19111 of 2016)

For the Petitioner/s : Mr. Navin Prasad Singh, Adv.

For the Respondent-State : Mr. Raghwanand, GA-11



Dr. Kamal Deo Sharrma, AC to GA-11
 For the Respondent-SSC : Mr. Lalit Kishore, Sr. Adv.
 (In CWJC No.13812 of 2016)
 For the Petitioner/s : Mr. Alok Kumar, Adv.
 For the Respondent-STATE : Mr. Chittaranjan Sinha, PAAG-2

=====

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL JUDGMENT
Date: 30-05-2017

In each of this batch of writ petitions, the grievance of the petitioners is common and that is the issue of grant/refusal of weightage by the Bihar Staff Selection Commission (hereinafter referred to as 'the Commission') as against the work experience gained by the incumbents having served on the post of Agriculture Coordinators, Assistant Technical Managers, Block Technical Managers, Subject-matter Specialists and other equivalent posts available in the Agriculture Department.

It is in consideration of the commonness of the grievance raised that the writ petitions have been heard analogous and with the consent of the parties are being disposed of at the stage of admission itself.

While the arguments on behalf of the petitioners have mainly been led by Mr. Y.V. Giri, learned senior counsel and Mr. Dinu Kumar with other counsel supplementing the same, the State is represented by the respective State Counsel, the Bihar Staff Selection Commission is heard through Mr. Lalit Kishore, learned Principal Additional Advocate General No.1 and the private/intervenor respondents have been heard through Mr. Vinod



Kumar Kanth, learned senior Advocate assisted by the Advocates on record.

The grievances as raised by the petitioners through this batch of writ petitions has been already indicated by me and primarily raises objections on the decision-making process followed by 'the Commission' to award weightage for work experience so as to disqualify a number of applicants inclusive of some of the petitioners who have failed to secure their position in the provisional select list. It is raising such grievance that the writ petitioners have sought a direction to 'the Commission' to award them weightage on work experience in the same manner as having been granted to the Assistant Technical Managers, the Block Technical Managers, the Agriculture Coordinators, the Subject-matter Specialists and others holding equivalent posts in the department.

Mr. Giri, learned senior counsel appearing for the petitioners in CWJC No.13658 of 2016 has referred to a letter of the Secretary, Agriculture Department dated 15.06.2016 enclosed at Annexure-8 to the said writ petition to submit that it is in consideration of this very issue that the Secretary has advised the Commission that a certification by the District Agriculture Officer of work experience gained on any post in the Agriculture Department, was entitled to such weightage.

Mr. Giri has next referred to a decision taken by a committee chaired by the Chief Secretary with the Agriculture



Production Commissioner, the Principal Secretary, General Administration Department and the Chairman of the Bihar Staff Selection Commission as its Members present at Annexure-9 to the said writ petition to submit that the issue has further been clarified and the District Agriculture Officer has been authorized by the Committee to issue certificate of work experience on the post of Assistant Technical Managers, Block Technical Managers, Agriculture Coordinators appointed on contract, Subject Matter Specialists or any other post in the Agriculture Department, for grant of weightage.

It is the contention of Mr. Giri that these petitioners having served the Agriculture Department in various capacities are entitled to grant of weightage on work experience as granted to other persons holding the post referred to above. The grievance of the petitioners is that it is because they have been denied such weightage on work experience that they have failed to qualify in the merit-list.

Mr. Dinu Kumar, learned counsel raising similar issues in CWJC No.15845 of 2016 has questioned the decision of the Commission to award weightage on work experience gained by the applicants having served the post of Subject-Matter Specialist in the Agriculture Department. He has also referred to certain orders of this Court.

Similar issues regarding grant of weightage or refusal thereof to the applicants is the subject-matter of other writ petitions



which have been heard analogous.

The arguments have been contested by learned counsel appearing for the State, the Commission and the private/intervenor respondents inter alia on grounds that the selection process is yet underway and thus the writ petitions are premature for until the final merit list is published, the petitioners have no cause of action.

I have heard learned counsel for the parties and perused the records.

For the sake of convenience I shall be referring to the pleadings made in CWJC No.13658 of 2016 unless clarified with specific reference to the other writ petitions.

All these petitioners are applicants against the Advertisement No. 02010115 for appointment against the post of Agriculture Coordinators. A copy of the advertisement is placed at Annexure-3 to the writ petition. In all 4391 posts of Agriculture Coordinators were advertised by the Commission against different categories mentioned in the advertisement, across the State. Clause 7 of the advertisement lays down the procedure for selection and awards 30 marks on work experience as per the experience gained by them. It is this 30 marks earmarked by 'the Commission' towards work experience which is the subject matter of contest in the present batch of the writ petitions.

While some of the petitioners are aggrieved by non-award of this weightage towards work experience, there are yet others who



have questioned the award of marks to a particular category. For example, it is the award of weightage to the applicants holding work experience on the post of Subject Matter Specialist, which aggrieves the petitioner in CWJC No.15845 of 2016 represented through Mr. Dinu Kumar.

It is following the selection process in terms of the advertisement that a merit-list was published and since these petitioners did not figure in the merit-list that they questioned the same through the present batch of writ petitions. The writ petitioners while questioning the merit-list so published by 'the Commission', have alongside complained of the manner and basis adopted by 'the Commission' for award of weightage towards work experience.

These matters were heard by a coordinate Bench of this Court and vide order passed on 16.2.2017, the Bench while allowing the Commission to file counter affidavit with equal opportunity to the contesting parties to exchange their pleading, restrained the State Government in its Agriculture Department from issuing any appointment/posting order pursuant to the select list so published. The interim order was allowed to continue until further orders by the Bench vide order passed on 23.2.2017.

The matter was thereafter taken up on 3.3.2017 and when Mr. Chandra Bhushan Das, learned counsel appearing for 'the Commission' informed the Court that 'the Commission' is in the process of rectification of the error crept in the examination result in



so far as the allotment of marks on experience/academics, is concerned. The submission made by the learned counsel for 'the Commission' stands noted in the order of this Court passed on 3.3.2017.

These matters after being adjourned on couple of dates on account of the fact that the functioning of the Commission came to a standstill by reason of institution of vigilance case against the Chairman and others for alleged act of omission and commission, was taken up on 10.4.2017 when this Court was informed by Mr. Chandra Bhushan Das, learned counsel appearing for the Commission that the new Chairman has assumed office and the work of evaluation of result is underway. It was informed that the result would be recast within six weeks' time. The submission of learned counsel for the Commission stands noted in the order dated 10.4.2017. Mr. Giri, learned senior counsel appearing on behalf of the petitioners had submitted that since the Chairman was in the process of recasting the result he would be well advised to consider the issue raised in the writ petitions as well.

These matters were thereafter taken up on 15.5.2017 when it was admitted by Mr. Das, learned counsel appearing for the Commission that the select list published earlier suffered errors and which required rectification. In other words, the grievance raised by the petitioners did attract the attention of the Commission and the defect was admitted. A prayer was made for uploading the recast



provisional select list within 10 days time and accordingly these matters were adjourned.

These matters were next taken up on 25.5.2017 and since 'the Commission' had failed to keep its promise of uploading the provisional select list after removing the errors that this Court expressing anguish on the default, while recording its order on 25.5.2017, posted these matters for today. Today when these matters are taken up that an affidavit has been filed on behalf of the Commission and Mr. Lalit Kishore, learned Principal Additional Advocate General No.1 in reference thereto has informed that the list of all the candidates provisionally selected for the post of Agriculture Coordinator(s) pursuant to the advertisement in question has already been uploaded on the website of 'the Commission' after scrutiny and rectification, inviting objections from all persons. In reference to a notice bearing Memo No.1057 dated 25.5.2017 placed on record at Annexure-S/3 to the second supplementary counter affidavit filed today he submits that objections have been invited from all the candidates online. It is submitted by Mr. Kishore that the petitioners can well file their objections to the provisional list and which shall be considered and disposed of accordingly.

Mr. Giri, learned senior counsel appearing for the petitioners has submitted that although the petitioners have filed their objections but 'the Commission' or the authority concerned may be appropriately directed to dispose of the same objectively



after taking note of the objections so raised by the applicants online, as also advanced before this Court.

Mr. Kanth, learned senior counsel appearing for some of the candidates who had been originally selected for appointment has submitted that by virtue of the interim order passed by this Court, they have been denied the fruits of their selection. It is his contention that since there was no dispute as regarding the grant of weightage to these private respondents/intervener-applicants, even if, there be any grievance raised by the petitioners on account of non-grant of weightage towards work experience, it does not affect the case of those applicants who have gained selection on the basis of merit.

As I have already indicated, while the petitioners in most of the writ petitions have complained against the denial of weightage towards work experience, inter alia, on ground that the post which these petitioners held were within the category of posts entitled to award of weightage towards their work experience, there are other writ petitioners like the petitioners in CWJC No.15845 of 2016 who have questioned the award of such weightage to the applicants holding the post of Subject Matter Specialist etc. At the present juncture this Court would not be expressing any opinion on the dispute for the reason that the issue for the present lies within the domain of 'the Commission' and who at the present juncture are in seisin of the matter to dispose of the rival claims objectively and in a purposeful manner.



Although a prayer was made by learned counsel appearing for the petitioners to keep the batch of writ petitions pending until disposal of the objections but this Court is not persuaded by such argument because these writ petitions were filed against the results initially published by 'the Commission' which were put to challenge in the writ petitions while also seeking a direction to 'the Commission' to grant the applicants suitable marks on the work experience but in view of the developments that has taken place in the matter where the original select list has given way to the rectified list and against which objections have been invited vide Annexure-S/3 to the affidavit filed today in CWJC No.13658 of 2016, the issue raised in the writ petitions, for the present has been rendered infructuous for any final order passed by 'the Commission' or the authority concerned so constituted, if any, it may give a fresh cause of action for the applicants but in so far as the issues raised in the writ petitions are concerned, that fresh objections have been invited by 'the Commission' and have also been uploaded by the candidates, for the present, this Court is of the considered opinion that ends of justice would be met with the direction to 'the Commission' or the authority concerned so constituted, if any, to consider the objections raised by the petitioners some of which stands noted above and dispose of the same objectively by a speaking order.

It goes without saying that the rejection of objections should be supported with reasons reflecting application of mind as



held by the Supreme Court in the judgment reported in **(2010)9 SCC 496 (Kranti Associates Pvt. Ltd. Vs. Masood Ahmed Khan)** more particularly paragraph 47 thereof.

Before parting with the judgment this Court deems it proper to place on record that this Court has not entered into the merits of the claim so raised by the petitioners except recording the submissions so advanced on their behalf through their learned counsel and which would require a consideration in the disposal of the objections.

The writ petitions and the interlocutory applications are accordingly disposed of with the directions above.

(Jyoti Saran, J)

SKPathak/-

AFR/NAFR	AFR
CAV DATE	NA
Uploading Date	31-05-2017
Transmission Date	NA

