

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9637 of 2017

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1. Awadhesh Kumar, son of Sri Radha Mohan Singh, resident of Mohalla-Shikshak Colony, Bikramganj, P.S.- Bikramganj, District- Rohtas.
 2. Amrendra Kumar Mishra, Son of Late Yamuna Mishra, resident of Village-Indrath Khurd, P.O.- Kastar Mahadeo, P.S.- Bikramganj, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department (Higher Education), Govt. of Bihar, Patna.
2. The Secretary, Department of Education, Govt. of Bihar, Patna.
3. The Additional Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Bihar Public Service Commission, through its Secretary, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna-1.
5. The Secretary, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna-1.
6. Chencellor, University of Bihar, Patna.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Harsh Anuj, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra, SC-16
For the BPSC : Mr. Sanjay Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 17-04-2018

Heard learned counsel for the petitioners and the respondents.

The petitioners have filed the present writ application for a direction to the respondents to award 5 marks for Ph.D. with BET on the ground that as per Schedule-5, Ph.D. as per not 2009 Regulation with NET is entitled for grant of 5 marks. BET is accredited by the UGC as equivalent to NET and in that view of the matter, the petitioners are entitled to award 5 marks.

Learned counsel for the Commission pleads that exactly



the same issue was decided by a Co-ordinate Bench of this Court in C.W.J.C. No. 14164 of 2017 vide order dated 05.03.2018.

In view of the fact that similar issue was adjudicated by a Coordinate Bench of this Court vide order dated 05.03.2018 in C.W.J.C. No. 14164 of 2017 and the fact that following the same another writ application was also disposed of by a Co-ordinate Bench of this Court vide order dated 14.03.2018 in C.W.J.C. No. 1134 of 2017, the Court is unable to adopt different kind of reasoning.

The writ application is also disposed of in terms of the order passed in C.W.J.C. No. 14164 of 2017.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.04.2018
Transmission Date	

