

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19499 of 2018

=====

Samar Prakash Singh, son of Sri Subodh Kumar Singh, resident of Kashi Nath Lane East Lohanipur, P.S. Kadamkuan, District-Patna

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. Bihar Combined Entrance competitive Examination Board through its Secretary, I.A. A. Union Building, Near Patna Hawai Adda, Patna-14.
3. Controller of Examination, Bihar Combined Entrance Competitive Examination Board, I.A. S. Union Building, Near Patna Hawai Adda, Patna-14.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ram Hriday Prasad Ms. Maruti Kumari
For the Respondent/s	:	Mr. Kameshwar Kumar GP-17
For BCECEB	:	Mr. Prasoon Sinha

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-10-2018 Heard learned counsel for the parties.

It is the petitioner's grievance that 30 general seats have remained vacant for admission to various Engineering Colleges, which are going to be filled up by reserve category candidates.

It is submitted by Mr. Prasoon Sinha, learned counsel appearing on behalf of Bihar Combined Entrance Competitive Examination Board that some of the candidates belonging to reserved category had qualified on the basis of their merit against open seats but opted to their original category only for the purpose of getting better institution or trade. He submits



that this is the reason why general seats so vacated are required to be filled up by reserved category candidates, in view of the law laid down by a Full Bench of this Court in case of ***The Controller of Examination, BCECEB, 1999 Vs. Nidhi Sinha and another*** reported in ***2016(3) PLJR 273***.

Be that as it may, considering the facts and circumstances, I dispose of the writ application granting liberty to the petitioner to approach the Controller of Examination, BCECEB, raising his grievance. The Court expects that if the petitioner approaches within one week from today, the Controller of Examination, BCECEB will consider his case and communicate its decision to the petitioner after recording brief reasons.

This disposes of the application.

(Chakradhari Sharan Singh, J)

arun/-

U			
---	--	--	--

