

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6837 of 2017

Shree Ram Suman, son of Sri Jay Narayan Prasad, residing at Parathu, Post
Office- Parathu, District- Nalanda.

... .. Petitioner

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 Agriculture Director, Government of Bihar, Patna.
4. The Secretary, Bihar Staff Selection Commission, Patna.
5. The District Agriculture Officer, Jamui.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Birmani Kumar, Advocate
For the Respondent/s	:	Mr. Raghwanand- GA-11
For B.S.S.C.	:	Mr. Satyam Shivam Sundram, Advocate

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date : 13-12-2018

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the Bihar Staff
Selection Commission.

2. In this case, the petitioner is raising a grievance
that the respondents have wrongly refused to appoint the
petitioner as Agriculture Coordinator against the advertisement
no.02010115.

3. The short facts of this case are that the Bihar Staff
Selection Commission has issued an advertisement no.02010115



for the recruitment of Agriculture Coordinator. Against that, the petitioner has also filed his application, taking into consideration the qualification and the experience, the petitioner was called for counselling. It appears from notice dated 05.08.2016 (Annexure-7) that the counselling was conducted in between 18.01.2016 to 09.05.2016, the petitioner appeared in the counselling, submitted his caste and creamy layer certificate, which has been disputed and denied by the Commission, has taken plea that though he has submitted his caste certificate, but he could not produce the creamy layer certificate.

4. Clause-4 (ii) of the advertisement indicates that at the time of online application the caste certificate along with certificate of creamy layer was not required to be filed, but at the time of counselling the candidate must be armed with the caste certificate along with creamy layer certificate.

5. In the present case, the petitioner failed to produce the creamy layer certificate. Further, he has obtained the creamy layer certificate on 09.08.2016 i.e. after the closure of the counselling and in terms of the advertisement, he should have appeared in the counselling with the proper certificate of creamy layer, which he has failed to do so. Subsequent acquisition of the creamy layer certificate would not entitle him to claim his



appointment. Furthermore, when a thing has to be done in a particular manner and by a particular authority, that should be done in that manner alone not otherwise.

6. In such view of the matter, this Court does not find any wrong in refusing to accommodate and appoint the petitioner as Agriculture Coordinator. Hence, this writ petition is dismissed. If any advertisement is published in future, the petitioner will be at liberty to apply for the same and the present order will not cause any prejudice in any manner to the petitioner.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	N.A.F.R.
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