

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.12551 of 2018

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1. Nagesh Upadhaya, Son of Balgovind Upadhaya, Resident of Village- Karamawa, P.O.- Karamawa, Via- Kundwa Chainpur, Police Station- Dhaka, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health, Government of Bihar, Patna.
2. The Director-in-Chief, Health Services, Govt. of Bihar, Patna.
3. The Bihar Staff Selection Commission through its Secretary Post Veterinary College, Patna-14.
4. The Chairman, The Bihar Staff Selection Commission, Post Veterinary College, Patna-14.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. D.K. Singh, Advocate

For the State : Mr. Shashi Shekhar Kr. Prasad, AC to- PAAG2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 30-10-2018

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner has applied for the post of X-ray Technician against the Advertisement No.03010115 issued by the Bihar Staff Selection Commission.

Counseling was done and whereafter the petitioner was called for interview. He had high expectation that he would be selected and members of the Interview Board has properly communicated to the petitioner that he has secured 13 marks out of 15 marks, but counter affidavit shows that he has only secured



4 marks and minimum qualifying marks is 6 i.e. 40%. This Court cannot act as an appellate authority giving marks as has been given by the Interview Board. He has submitted that he has secured 13 marks which does not reflect from the record.

In such view of the matter, the authority should verify the statement made at the Bar and if it is so then certainly the petitioner will be entitled for consideration of appointment.

With the aforesaid observation and direction this writ petition is disposed of.

(Shivaji Pandey, J)

Vinay/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.10.2018
Transmission Date	NA

