

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12076 of 2014

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Smt. Veena Kumari daughter of Sri Brij Nandan Prasad, wife of Sri Prabhakar Narain Singh, resident at Mohalla Sakal Yadav Colony Behind K.M.M. Hospital Anisabad, P.S. Phulwarisharif, District- Patna

... .. Petitioner

Versus

1. The State Of Bihar
2. The Chairman, Bihar Public Service Commission, Jawahar Lal Nehru Marg, Patna-1
3. Examination Controller, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Patna-1
4. The Secretary, Department of Personnel and Administrative Reforms Government of Bihar, Patna

... .. Respondents

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Appearance :

For the Petitioner/s	:	Mr.Rabindra Prasad Singh
For the State	:	Mr. S.K.Ranjan, AC to GP 17
For BPSC	:	Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 11-03-2019 Heard learned Counsel for the petitioner and the learned Counsel for the respondent State as also learned Counsel appearing for the Commission.

The petitioner has filed the writ petition that a mandamus be issued directing respondents to appoint the petitioner as Office Assistant in Secretariat pursuant to the examination conducted by Bihar Public Service Commission under Advertisement No. 1 of 1993 and to grant all consequential benefits arising therefrom.

The respondents have filed a counter affidavit. The



petitioner, as per averments made in the counter affidavit, has secured 83 marks out of 200. The petitioner is said to have secured lesser marks than the cut off marks i.e. 110 and 106 for her reservation category of BC and BCL.

Specific stand of the respondents that no one below the petitioner in terms of merit has been selected, has been taken by the respondents in the counter affidavit. Such stand has not been denied or disputed by filing any rejoinder in this regard. Law in this regard is well settled in the case of *Shankarsan Dash vs. Union of India* reported in (1991) 3 SCC 47.

The writ petition is therefore devoid of merit and the same is dismissed.

(Madhuresh Prasad, J)

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