

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6574 of 2019

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Dr. Kumar Shankaranand, Son of Dr. Badri Narayan Sah, resident of Village
and Post Manihari, P.S. Manihari, District- Katihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Health Govt. of Bihar, Patna.
2. The Bihar Public Service Commission, through its Chairman, Jawahar Lal Nehru Marg, (Bailey Road), Patna.
3. The Chairman, Bihar Public Service Commission, Patna.
4. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Patna.
5. The Selection Officer, B.P.S.C., Patna.

... .. Respondent/s

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Appearance :

For the Petitioner	:	Smt. Asha Verma, Advocate
For the State	:	Mr. Kamlesh Kishore, AC to SC 12
For the BPSC	:	Mr. Sanjay Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 23-04-2019

Heard Ms. Asha Verma, learned counsel for the

petitioner and Mr. Sanjay Pandey, learned counsel for the

Bihar Public Service Commission.

2. The petitioner who had applied for being

appointed as Dental Surgeon is aggrieved by the fact that

only because of his not being given marks for his

experience, he could not become successful.

3. Mr. Sanjay Pandey, learned advocate for the

Commission has informed this Court and which information



has not been refuted by the learned counsel for the petitioner that the certificate of experience which was furnished by the petitioner was of the year 2017 whereas the advertisement is of the year 2015 and any experience gained by a candidate after the advertisement in question was issued, would be of no relevance and such experience cannot be counted and marked for finalizing the merit list. The petitioner admittedly had not offered any certificate of experience of any year prior to 2015.

4. Learned counsel for the petitioner however has submitted that even this response of the Commission ought to have been communicated to the petitioner in writing, when such a representation was filed.

5. This expectation of the petitioner is not unreasonable; nonetheless since the issue at hand is without any dispute, this Court would not direct for, now, the disposal of the representation of the petitioner if the petitioner now stands informed about the reason for his being not marked for experience.



6. The petition is dismissed.

(Ashutosh Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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