

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 11523 of 2019

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Md Eshtyaque Ali, aged about 25 years, Gender – Male, Son of Ali Mohammad Ansari R/o Rahmat Nagar, Ishapur, P.S.-Fulwari Sharif, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar
2. The Principal Secretary Dept. of General Administration, Government of Bihar
3. The Bihar Public Service Commission 15 Jawaharlal Nehru Marg (Bailey Road), Patna-01
4. The Chairman The Bihar Public Service Commission, 15 Jawaharlal Nehru Marg (Baily Road), Patna-01
5. The Secretary The Bihar Public Service Commission, 15 Jawaharlal Nehru Marg (Baily Road), Patna-01
6. The Examination Controller The Bihar Public Service Commission, 15 Jawaharlal Nehru Marg (Baily Road), Patna-01

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr Shivendra Kishor, Sr Advocate with Mr Nafisuzzoha, Advocate
For the B P S C	:	Mr Vikash Kumar, Advocate
For the S t a t e	:	Mr Ruchikar Jha, AC to SC VIII

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL JUDGMENT

Date : 29-08-2019

Heard learned Senior Counsel for the petitioner as well as the learned counsel for the respondents.

2 Petitioner was an applicant pursuant to Advertisement No 6 of 2018 for 30th Bihar Judicial Service (Pre) Competitive Examination. Petitioner, claiming to be Nati of a freedom fighter, has sought benefit of 2% horizontal reservation in



view of the letter dated 18.02.2016 issued by the General Administration Department.

3 Counter affidavit has been filed by respondent No 2. Specific stand is that the Rule for providing reservation has not been adopted by the High Court in the Bihar Civil Service (Judicial Branch) (Recruitment) Rules, 1955.

4 Learned Senior Counsel submits that the petitioner, in the circumstances, would be approaching the authorities for including the reservation in favour of the dependents of freedom fighter in terms of the General Administration Department's communication, taken note of herein above.

5 Without prejudice to the petitioner's such rights and in view of the factual position, as obtaining today, writ petition is disposed of.

(Madhuresh Prasad, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	31.08.2019
Transmission Date	NA

