

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14390 of 2019

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1. Md. Shahbaz Alam Son of Abdur Rashid@ Abdul Rashid Resident of Village- Chandbhati, Barsoni, P.S. Dagarwa, District- Purnea.
 2. Abrar Ahmad, Son of Abdul Aziz, Resident of Village- Ijra, P.S. Rahika, District- Madhubani.
 3. Noor Mohammad Ansari, Son of Abdul Jabbar Ansari, Resident of Village- Mahotia Chak, P.S. Sanokhar, District- Bhagalpur.
 4. Abdur Rahim, Son of Lal Mohammad Resident of Village- Bara, Bamangama, P.S. Sarath, District- Deoghar.

... .. Petitioner/s

Versus

1. Bihar Public Service Commission , Bailey Road, Patna.
2. The Chairman, Bihar Public Service Commission, Bailey Road, Patna.
3. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Md. Fazle Karim, Advocate
For the Respondent/s	:	Mr.P.N.Shahi, Sr. Advocate
		Mr. R.K. Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-07-2019 Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State.

The petitioners have filed the instant writ petition for a direction to the respondents to allow them to appear in the interview for the post of Assistant Professor as they have secured more than the cut-off marks in the selection process.

The petitioners have made statement in para-10 of the writ petition that they have secured 55, 64, 64 and 66 marks respectively. The petitioner Nos. 1 and 3 belong to EBC



category whereas the petitioner nos. 2 and 4 belong to general category. According to the petitioners, the cut off marks in General category is 60.95 and in EBC category 49.40. The averments of the petitioners is that they have scored more than the cut-off marks in the selection process and as such the respondents have acted arbitrarily in denying the petitioners to participate in the interview. The petitioners have not indicated the basis of their calculation.

This writ petition was filed on 17.07.2019 after the interview was over.

Under the aforesaid circumstances, instead of keeping the writ petition pending, it is disposed of with liberty to the petitioners to approach the Secretary, Bihar Public Service Commission along with a copy of this order and the Secretary, BPSC is under obligation to provide the calculation chart showing the marks allocated to the petitioners in the selection process. In case the petitioners' marks is found more than the persons who were called for interview, then the BPSC shall be under obligation to provide opportunity to the petitioners to appear at the interview for the purpose of inclusion of the name of the petitioners in the final selection list for appointment of Assistant Professor.



With the aforesaid, the writ petition stands disposed
of.

(Anil Kumar Upadhyay, J)

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