

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15371 of 2019

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Mukesh Kumar Son of Late Jageshwer Das resident of Village- Tal
Banshipur, P.S.- Suryagarha, District- Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Science and Technology Department, Government of Bihar, Patna.
3. The Joint Secretary, Science and Technology Department, Government of Bihar, Patna.
4. The Chairman, Bihar Public Service Commission, Bihar, Patna.
5. Joint Secretary-cum- Examination Controller, Bihar Public Service Commission, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Binod Kumar
For the Respondent/s	:	Mr.Kameshwar Prasad Gupta (Gp10)
For the BPSC	:	Mr. Sanjay Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 31-07-2019 Heard learned counsel for the petitioner and the

counsel appearing on behalf of the State as well as learned

counsel appearing on behalf of BPSC.

Learned counsel appearing on behalf of BPSC would

submit that against available post in the category of scheduled

caste, the candidate above in the merit list has been

recommended and no candidate below the petitioner has been

recommended.

In view of the above, the Court does not find any

infirmity in the recommendation of the BPSC.



Mr. Binod Kumar, learned counsel for the petitioner would submit that as against 85 candidates recommended for appointment, certain posts are lacking on account of non joining , if it is the position, the petitioner may represent the Principal Secretary, Science and Technology alongwith a copy of this order and on scrutiny if it is transpired that the post in SC category is available on account of non joining and petitioner figures in the merit position for consideration against the post due to non joining, appropriate decision may be taken by the Principle Secretary, Science and Technology.

Necessary decision in this regard may be taken by the Principal Secretary, Science and Technology within a period of three months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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