

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.6215 of 2020

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Ram Sagar Yadav, male, aged about 53 years, Son of Sri Amirchand Chaudhary, Resident of Flat no.202, Narayanshree Apartment Sheikhpura, Police Station-Shashtrinagar, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Research and Training, Education Department, Government of Bihar, Patna.
4. Bihar Public Service Commission, Patna through its Chairman, 15, Jawaharlal Nehru Marg, Patna.
5. The Secretary, Bihar Public Service Commission, Patna.
6. The Joint Secretary-Cum-Controller of Examination, Bihar Public Service Commission, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Adv.
For the State : Mr. Jitendra Kumar Roy, SC-13
For the B.P.S.C. : Mr. Nishant Kumar Jha, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 10-11-2020

Heard Mr. Sanjeev Kumar Singh, learned

Advocate for the petitioner, Mr. Jitendra Kumar Roy, learned



SC-13 for the State and Mr. Nishant Kumar Jha, learned Advocate for the respondent/Bihar Public Service Commission.

2. The petitioner had applied for the post of Lecturer in Physics in Government Training College and was declared to be successful. At the time of filling-up the forms, the petitioner had furnished the marks-sheet of his P.G. examination because the University concerned did not give the P.G. certificate. Therefore, the petitioner made a representation before the authorities concerned seeking time for submitting the same as soon as it is delivered to him. Perhaps, accepting such a request, the petitioner was called for interview and there also, he submitted that he shall be furnishing the P.G. certificate as and when it is provided to him. The certificate was not provided on time by the B.N. Mandal University, Madhepura for which necessary communication was made by the petitioner.

3. However, according to the learned Advocate for the petitioner, only after few days of the interview, the petitioner got the P.G. certificate, which he furnished and the



same was accepted. However, when the results were published, the petitioner was declared to be unsuccessful as he had not furnished the P.G. certificate at the time of the interview.

4. Learned counsel for the petitioner submits that the fact that his application was entertained for being called in interview and his request was accepted, there was no reason for rejecting the candidature of the petitioner on the ground of non-submission of the P.G. certificate at the time of the interview.

5. In any view of the matter, the petitioner has made a representation before respondent No. 5/the Secretary, Bihar Public Service Commission, Patna, stating all the above facts, but no decision as yet been taken on such representation.

6. Let the respondent No. 5/the Secretary, Bihar Public Service Commission, Patna take a decision on the representation/application within a period of two weeks from today and communicate the same to the petitioner.

7. In case the petitioner is aggrieved by the



decision of respondent No. 5, he would have the liberty to avail the legal remedies to which he is entitled.

8. In case the claim of the petitioner is accepted, necessary sequel order shall also be passed with respect to his appointment.

9. With the aforesaid observation/direction, the writ petition stands disposed off.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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