

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18492 of 2018

1. Rajesh Kumar Son of Yogendra Kumar C/o Janki Bhawabn, Teacher Colony, Bus- Stand, P.O.P.S.- Rajgir, District- Nalanda- 803116.
2. Shiva Nath Roy Son of Padarath At P.O.- Prataptand, P.S.- Bhagwanpur, District- Vaishali- 844123.
3. Sanjay Choudhary Son of Chakradhari Choudhary R/o Vir Kuwar Singh Colony, Kashipur, Ward No. 7, P.O. P.S.- Samastipur, District- Samastipur- 848101.
4. Krishna kumar Son of Yogendra Prasad R/o Mohalla- Bari Pahari, P.O. Sohsarai, P.S. laheri, District-Nalanda- 803118.
5. Rama Shankar Prasad Son of late Nandlal Ram R/o Village- Chhato, P.O- Tetrawan, P.S. Manpur, District-Nalanda- 803101.
6. Dinbandhu Son of Surydeo Sah At P.O.-Yogiwana Bazar, P.S. Bathnaha, District- Sitamarhi- 843322.
7. Dinesh Kumar Son of Suryadeo Sah At P.O.-Yogiwana Bazar, P.S. Bathnaha, District- Sitamarhi- 843322.
8. Anil Kumar Gupta Son of Radheshyam Prasad At- Purani Bazar, Ward No. 11, P.O P.S. Sitamarhi, District- Sitamarhi- 843302.
9. Janki Raman Son of Sidheshwar Sah R/o- Village- Gorigama, P.O.P.S. Runni Saidpur, District- Sitamarhi- 843302.
10. Shyam Kishore Poddar Son of late Ayodhya Poddar R/o Navratan Hata, Near High School Teacher Association, At P.O.P.S- Purnia- District-Purnia- 854301.
11. Dr. Md. Shahnawaz Rizvi Son of Md. Azizul Hakim At- Rahmatbag, P.O. Nathnagar, P.S. Nathnagar, District- Bhagalpur- 812006.
12. Dr. Isham Lal Karharia Son of Upendra Prasad Singh AtP.O.P.S.- Ishak Chak, Near Gumti No. 12, District- Bhaglapur- 812001.
13. Rajdeo Kumar Son of late Keshav Kumar Singh At- R.K. Nagar, FM Campus, Zero Mile, Bahadurpur, District- Bhagalpur.
14. Dr. Rakesh Kumar Parimal Son of late Kishun Prasad Singh AtP.O.- Pararia, P.S. Shambhuganj, District- Banka-813211.
15. Arvind Klumar Mishra Son of Abhiram Mishra R/o Mohalla- Azad Nagar Akauna Near Baudhi Mandir, P.O. P.S.- Motihari, District- East Champaran- 845401.
16. Sanjay Kumar S/o late Gangapati Mallick R/o Mohalla- Matiya Dih Mahawir Nagar, P.O. Motihari, P.S. Chhatauni, District- East Champaran- 845401.
17. Sanjeev Kumar Son of Ram Sakal Singh At- Chakmahmad, P.O. P.S.-Desari, District- Vaishali- 844504.
18. Chandramauli Tripathy Son of Nandkishore Tripathy R/o Village- Amahi Shukla, P.O. Jigina Dubey, P.S. Bhore, Distt. Gopalganj, -841428.
19. Sujay Kumar Son of Sri Pashupati Nath R/o Station Road, Nawada, P.O. P.S.



District- Nawada, 805110.

20. Amresh Kumar Son of late Murlidhar Thakur R/o village- Eastern Tola, Bangawn, P.O. P.S. - Bangawn, District- Saharsa.
21. Ravi Shankar Prasad Son of Bhagwat Prasad R/o Mohalla- Sadar Chowk, P.O.P.S.- Dehri On Sone, District- Rohtas- 821307.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Principal Secretary, General Administration Department Government of Bihar, Patna.
4. The Director, Research and Training, Department of Education, Government of Bihar, Patna.
5. Bihar Public Service Commission, through its Chairman, Bihar Public Service Commission, Bailey Road
6. The Joint Secretary Cum Controller of Examination, Bihar Public Service Commission, Bailey Road, Pa

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Deepak Kumar
For the Respondent/s	:	Mr.Madhaw Pd. Yadaw- Gp23 Mrs. Meera Singh, Advocate
For the B.P.S.C.	:	Mr. Ashok Kumar Choudhary, Advocate Mr. Akshansh Ankit, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 24-02-2020 Heard learned counsel for the petitioners and the respondents.

2. The petitioners have filed the present writ application for a direction to the respondents to provide weightage marks for the period petitioners have worked as lecturer in Government Teachers Training College.

3. Normally granting weightage is domain of the



executive and the Courts are not expected to interfere in the matter of granting weightage for experience.

4. Learned counsel appearing on behalf of B.P.S.C. submits that the B.P.S.C. has no role to play so far as claim of the petitioner is concerned, the Commission is obliged to follow the yardstick prescribed by the respondents in the matter of selection.

5. Learned counsel for the State submits that the Rule does not provide for grant of weightage in the matter of selection.

6. Counsel for the petitioners submits that in various service condition rules, the State has taken note of past satisfactory service in the matter of recruitment and provided for weightage for experience.

7. Experience has some role to play in enhancing the efficiency in the service, but it is for the respondent authorities to decide whether the service rendered by the petitioners as lecturer in Government Teachers Training College on deputation is worth granting weightage or not and if they feel that they deserve some consideration in the matter of selection for the service, which they have rendered as lecturer on deputation the authorities may consider and take appropriate decision.



8. Accordingly, the writ application is disposed of with hope and trust that the respondent authorities will take appropriate decision at the earliest preferably within a period of four months from the date of receipt/production of a copy of this order so that in subsequent selection process, those who have rendered valuable service may be benefited.

9. The petitioners are hereby directed to file fresh representation before the Principal Secretary, Education Department, who shall appropriately decide the representation within the time frame mentioned above.

(Anil Kumar Upadhyay, J)

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