

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21174 of 2019

1. Rina Praveen, aged about 29 years (Female) D/O Md. Farukh Shekhra,
2. Ahsan Danish, aged about 29 years (Male) S/O Md. Mazharul Haque,
Both resident of village- Islamnagar, Madhopara, Ward No. 26, P.S.- K.Hat
District- Purnea.

... .. Petitioners

Versus

1. The State of Bihar, through, Principal Secretary, Health Department,
Government of Bihar, Patna.
2. Bihar Public Service Commission, Patna. through its Chairman.
3. The Chairman, Bihar Public Service Commission, Patna.
4. The Secretary, Bihar Public Service Commission, Patna.
5. The Joint Secretary Cum Examination controller, Bihar Public Service
Commission, Patna.
6. The Section Officer cum Public Information Officer, Bihar Public Service
commission, Patna.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr.None.
For the Respondent/s	:	Mr.Ramadhar Singh (GP25)
For the B.P.S.C.	:	Mr. Sanjay Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 07-01-2020 Petitioners were applicants for appointment on the posts of Dentist (Basic Grade) under the Health Department, Government of Bihar pursuant to an Advertisement no.05 of 2015 issued by the Bihar Public Service Commission.

The result has been published by the Bihar Public Service Commission after following a process of selection for the purpose of making recommendations for appointments against the said posts.

On perusal of the pleadings in the writ application, it appears that the petitioners have a grievance that since they have



been awarded very low marks in the interview, they could not succeed, despite the fact that they have better academic career than many of the candidates selected.

Accordingly, it is the petitioners' common grievance that they have been discriminated against. They are, therefore, seeking direction for re-notification of the interview or grant of average marks in the interview according to their academic qualification/performance.

I am of the opinion that the plea, which has been taken to seek relief, is completely vague and in no case, can be a valid ground for this Court's interference in the matter of selection by the Commission.

This is not a dispute that the merit list has been prepared on the basis of points against academic qualification and interview taken together. It is difficult for this Court in a proceeding under Article 226 of the Constitution of India to reach a conclusion that the marks against interview granted to the petitioners were inadequate or lesser than their actual performance.

For the aforesaid reason, this application is devoid of merit and is dismissed accordingly.

(Chakradhari Sharan Singh, J.)

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