

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3707 of 2020

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Vikramaditya Mishra @ Vikramaditya Mishra son of Shri Ram Chandra Mishra,
resident of in front of Angels Inter College, Shivji Puram, Katra Road, P.O. Pure
Narsingh Bhan, P.S. Sadar Kotwali, District Pratapgarh, Uttar Pradesh 230001.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, The Principal Secretary,
General Administration Department, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of
Bihar, Patna.
3. The Bihar Public Service Commission, through its Chairman, 15 Jawaharlal
Nehru Marg, Bailey Road P.O. and P.S. - Old Secretariat, District- Patna.
4. The Chairman, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg,
Bailey Road, P.O. and P.S. - Old Secretariat, District- Patna.
5. The Secretary, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg,
Bailey Road, P.O. and P.S. - Old Secretariat, District- Patna.
6. The Joint Secretary-cum-Examination Controller, Bihar Public Service
Commission, 15 Jawaharlal Nehru Marg, Bailey Road, P.O. and P.S. - Old
Secretariat, District- Patna.
7. The Hon'ble High Court of Judicature at Patna through the Learned Registrar
General, Patna High Court, Bailey Road, P.O. - Patna High Court, P.S.- Kotwali,
District- Patna.
8. The Learned Registrar General, Hon'ble High Court of Judicature at Patna,
Patna High Court, Bailey Road, P.O. - Patna High Court, P.S.- Kotwali, District-
Patna.
9. The Indian Law Institute, Bhagwan Dass Road, New Delhi 110001.

... .. Respondent/s

Appearance :

For the Petitioner : Mr. Suraj Samdarshi, Advocate
For the BPSC : Mr. Sanjay Pandey, Advocate
For the Patna High Court : Mr. Piyush Lall, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE VIKASH JAIN)

Date : 04-09-2021

Heard learned counsel for the petitioner, learned
counsel for the BPSC as well as learned counsel for the Patna High
Court through video conference.



2. The following reliefs as formulated by the petitioner have been claimed in the writ petition -

“ (i) For issuance of a Writ of Certiorari for quashing the final result of the 30th Bihar Judicial Services Competitive Examination declared on 29.11.2019 pursuant to Advertisement No. 06/2018 dated 23.08.2018 for appointment to Civil Judge (Junior Division) to the extent by which that the candidature of the petitioner has been cancelled arbitrarily by the Respondent Bihar Public Service Commission on account of non-submission of some original documents at the time of his interview.

(ii) To issue an appropriate writ, order or direction in the nature of mandamus directing the respondent Bihar Public Service Commission to accept the character certificate of the petitioner dated 17.01.2019 issued by Respondent No. 9 which was received by Respondent Bihar Public Service Commission on 27.11.2019 and to consider the candidate of the petitioner for appointment on the post of Civil Judge (Junior Division) pursuant to Advertisement No. 06/2018 30th Bihar Judicial Service Competitive Examination.

(iii) To issue an appropriate writ, order or direction in the nature of mandamus directing the Respondent Bihar Public Service Commission to disclose the marks obtained by the petitioner in the Preliminary Examination, Mains Examination and Interview conducted for the 30th Bihar Judicial Service Competitive Examination.

(iv) To issue an appropriate writ, order or direction in the nature of mandamus directing the Respondent Bihar Public Service Commission to prepare and publish the updated/revised result of the 30th Bihar Judicial Services



Competitive Examination after considering the candidature of the petitioner.

(v) For issuance of order/direction or appropriate writ for directing the Respondent Bihar Public Service Commission to keep 01 post of Civil Judge (Junior Division) vacant during the pendency of the present writ application.

(vi) This Hon'ble Court may further adjudicate and hold that the action of the Respondent Authorities in withholding the result of the petitioner and cancelling the candidature of the petitioner is a completely arbitrary exercise of authority/power vested in the Respondents.

(vii) This Hon'ble Court may further adjudicate and hold that in light of the fact that the Bihar Public Service Commission received the hard copy of the character certificate of the petitioner issued by Respondent No. 9 on 27.11.2019 i.e. on the last date of interview process the Respondents should have considered the same.

(viii) To grant any other relief or reliefs which the petitioner may be found entitled to in the facts and circumstances of the case."

3. At the outset itself, learned counsel for the petitioner fairly states that the issues involved in the present writ petition stand already decided in writ petitions filed by similarly situated persons in *C.W.J.C. No. 24282 of 2019 (Aarav Jain Vs. The Bihar Public Service Commission and Ors.)* and *C.W.J.C. No. 2172 of 2020 (Ratnakar Dubey and Ors. Vs. The State of Bihar and Ors.)*, against



which, in turn, SLPs have been filed and are pending before the Hon’ble Supreme Court.

4. Learned counsel for the BPSC as well as learned counsel for the Patna High Court appear and have been heard.

5. Having regard to the stand of the petitioner, the present writ petition is dismissed for the same reasons and in line with the judgments passed in the aforesaid *C.W.J.C. No. 24282 of 2019 (Aarav Jain Vs. The Bihar Public Service Commission and Ors.)* and *C.W.J.C. No. 2172 of 2020 (Ratnakar Dubey and Ors. Vs. The State of Bihar and Ors.)*.

(Vikash Jain, J)

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(Anjani Kumar Sharan, J)

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	10.09.2021
Transmission Date	N.A.

