

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4353 of 2020

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1. Md. Anwar Ahmad Son of Md. Islam, Resident of Mohalla- Ward No. 15, Kurha, Police Station- Sahebpur Kamal, District- Begusarai.
 2. Md. Ansar, Son of Md. Islam, Resident of Mohalla- Ward No. 15, Kurha, Police Station- Sahebpur Kamal, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of General Administration, Govt. of Bihar, Old Secretariat, Patna.
2. The Secretary, Bihar Staff Selection Commission, P.O. Veterinary College, Patna-14

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Kundan Kumar Sinha, Advocate
For the Respondent(BSSC):		Mr. Lalit Kishore, Advocate General
		Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 14-12-2021

Heard the learned counsels for the parties.

2. In the instant petition, petitioners have prayed for following reliefs:-

“A. To set aside the preliminary Test result dated 14.2.2020 of the examination which was conducted in the month of December, 2018. The said Combined Competitive Test was for the recruitment of 1st. Inter Level Combined Competitive (P.T.) Test, 2014. Since the result is said to be published by adopting the method of “Equipercentile Equating” and on the method of “Equalisation of Scores”, the said method of Equipercentile Equating and Equalisation of Scores is not only confusing but also against reservation policy.



B. A direction be issued to published the result of 1st. Inter Level Combined Competitive (P.T.) Examination, 2014 in accordance with the terms and condition indicated in the advertisement No. 06060114 published in the last quarter of the year, 2014 by the respondent Bihar Staff Selection Commission, Patna.

C. Further a direction be issued to the respondent Commission to declare the result as mandated in Rule-7 of Bihar Staff Selection Commission conduct of Examination Rules, 2010, since the total result is less than five times in numbers at available vacancies.

D. Further be directed to put the O.R.M. sheet on website of the respondent Commission so that participant be able to check their individual performance in the said Combined P.T. Examination.

E. Further the respondent be directed to published the result of said P.T. examination of reserved category candidates separately in view of the available vacancies of the reserve category. In the advertisement itself the number of post earmark of the reserve categories candidate of both the group of service such as Group-A and Group-B indicated in the said advertisement and

F. For any other relief/reliefs as the petitioner deem fit and proper in the eyes of law.”

3. Crux of the matter in the present case is whether petitioners are eligible to be participated in the main



examination for the post of Group-A and Group- B pursuant to the 1st Inter Level Combined (P.T.) Examination advertised in the year 2014 or not?

4. Perusal of the counter statement filed on behalf of 2nd respondent, it is evident that for extreme backward class cut off percentage of last selected candidate is 88.0320124 (at page 30, item no. 9) whereas the petitioners have secured 46% and 77% and odd. Therefore, *prima facie* petitioners have not made out a case that they were more merited than the last selected candidate in a particular category of reservation.

5. Accordingly, the instant petition stands dismissed reserving liberty to the petitioners to approach the Commission by making RTI application in seeking all necessary information. If such RTI application is filed, the concerned authority is hereby directed to furnish all those materials within a reasonable period of time.

(P. B. Bajanthri, J)

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CAV DATE	
Uploading Date	
Transmission Date	

