

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7841 of 2021

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1. Apurva Sharma, aged about 29 years, Sex-Female, D/o Shri Murari Mohan Sharma Resident of- C/o Murari Mohan Sharma, Opp. Government Welfare Hostel, Ward No. 49, Mohalla- Mahendru, Ashok Rajpath, Patna, P.O.- Mahendru, P.S.- Sultanganj, District- Patna, Bihar- 800006.
 2. Abhinav, aged about 28 years, Sex-Male, S/o Shri Murari Mohan Sharma, Resident of- C/o Murari Mohan Sharma, Opp. Government Welfare Hostel, Ward No. 49, Mohalla- Mahendru, Ashok Rajpath, Patna, P.O.- Mahendru, P.S.- Sultanganj, District- Patna, Bihar- 800006.

... .. Petitioner/s

Versus

1. The Bihar Public Service Commission through its Chairman, Bailey Road, Patna.
2. The Chairman, Bihar Public Service Commission, Bailey Road, Patna.
3. The Joint Secretary-cum- Examination Controller, Bihar Public Service Commission, Bailey Road, Patna.
4. The State of Bihar through the Principal Secretary, Department of Law, Govt. of Bihar, Patna.
5. The Principal Secretary, Department of Law, Govt. of Bihar, Patna.
6. The Registrar General, Patna High Court, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Purushottam Kumar Jha, Adv. Mr. Avanindra Kumar Jha, Adv.
For the BPSC	:	Mr. Lalit Kishor, Sr. Adv. Mr. Sanjay Pandey, Adv. Mr. Nishant Kr. Jha, Adv.
For the State	:	Ms. Kumari Amrita (GP3)
For the High Court	:	Mr. Mrigank Mauli, Adv.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 18-03-2021 Heard learned counsel for the petitioners and counsel
for the respondents.

The petitioners have applied for the post of Civil
Judge (Junior Division) but, in the caste column, they have
shown themselves as Backward Category candidates showing



their castes as “Nai”. Accordingly, they could not qualify in the category of Backward.

Learned counsel for the petitioners submits that due to inadvertence, the petitioners have shown their caste falling under Backward Category whereas “Nai” comes under the Extremely Backward Class (E.B.C.) category and, therefore, this is a mistake due to inadvertence, that should be condoned and they may be declared successful candidates and be allowed to participate in the final examination. He has further submitted that in the E.B.C. Category, the petitioners have obtained higher marks than that of the last candidate succeeded in the E.B.C. category.

When a person fills up the form, he should be very careful and should supply correct information to the Commission. When the petitioners have shown themselves under the B.C. category, merely by filing this writ application, they cannot be allowed to change their category what the petitioners have filled up in the form.

Learned counsel for the petitioners in support of his submission has placed reliance on the order passed by the Hon’ble Apex Court dated 9.12.2020 (Siddhant Batra Vs. The Director Indian Institute of Technology (IIT) Bombay & Ors.)



but, this Court finds that in the aforesaid order, the fact and circumstances are totally different as also not even dealing with the matter relating to recruitment and appointment of the Judicial Officer.

This Court does not find any merit in this writ application and the same is accordingly dismissed.

(Shivaji Pandey, J)

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