

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8858 of 2020

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Usha Bharti Wife of Madhu Kumar Sah Resident of Mohalla- Chanakya
Nagar, Kumhrar, P.S.- Agamkuan, District- Patna- 800026.

... .. Petitioner/s

Versus

1. The Chairman Bihar Public Service Commission Patna.
2. The Secretary, Bihar Public Service Commission, Patna.
3. The Controller of Examination cum Joint Secretary, Bihar Public Service Commission, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
		Mr.Raj Dular Sah, Advocate
For the Respondent/s	:	Mr.Sanjay Pandey, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-02-2021 Heard learned counsel appearing on behalf of the
petitioner and the Bihar Public Service Commission.

The petitioner was applicant in response to advertisement No. 2 of 2016 for appointment of Lecturer in Government Training College. The candidature of the petitioner was cancelled on the ground that the petitioner failed to produce the original M.A. certificate on the date of the interview.

Mr. Abhinav Srivastava, learned counsel appearing on behalf of the petitioner fairly submits that though the petitioner qualified in the examination but she has not been able to produce the M.A. original certificate on the date of interview. He further submits that it is nobody case that the petitioner has



not passed M.A. examination and only for this technical reason of non-production of original certificate the cancellation of candidature of the petitioner is unjustified.

Considering the fact that requirement was to produce the original certificate of M.A. at the time of interview but the petitioner failed to submit the same, the petitioner who is otherwise eligible for selection, due to failure to produce original M.A. certificate her candidature was cancelled, the Court does not find the action of the respondents as arbitrary. However, for the ends of justice, the writ petition is disposed of with liberty to the petitioner to approach the respondent-authorities for consideration of her case sympathetically if otherwise there is no any legal impediment for consideration of her case, provided the vacancies are available.

With the aforesaid, the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

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