

Civil Writ Jurisdiction Case No.6218 of 2020

Hariom Singh Son of Sri Atma Ram Resident of Village Mahadaichak, Police Station- Chand, Distt- Bhabhua (Kaimur).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, Bihar, Patna.
3. The Director, Higher Education, Bihar, Patna.
4. Bihar Public Service Commission through its Chairman, 15 Jawaharlal Nehru Marg, Patna.
5. The Chairman, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg, Patna.
6. Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the BPSC : Mr. Sanjay Pandey,

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

14 12-04-2021 Heard learned Counsel for the parties concerned,
through Video Conferencing.

The present writ application has been filed for quashing of the order, dated 27.02.2020, issued under the signature of Joint Secretary -cum- Examination Controller, Bihar Public Service Commission, Bihar, Patna, to the extent it relates to the petitioner, whereby the result of the written test of the petitioner has been cancelled and the petitioner has been considered in general category instead of reserved category.



since the petitioner has not produced the relevant creamy layer certificate at the time of his interview.

Learned Counsel for the petitioner submits that during the pendency of this writ application, a co-ordinate Bench of this Court has set aside the entire selection process conducted by the Bihar Public Service Commission, in CWJC No. 15081 of 2018. He further submits that the private respondents have filed Letters Patent Appeal against the order, passed in CWJC No. 15081 of 2018.

Mr. Sanjay Pandey, learned Counsel for the Bihar Public Service Commission, submits that the Bihar Public Service Commission has not yet filed any appeal against the order passed in the said writ application, but it is intending to file Letters Patent Appeal against the order passed in CWJC No. 15081 of 2018.

In view of the above, learned Counsel for the petitioner seeks permission to withdraw this writ application with liberty to file a fresh writ application after disposal of Letters Patent Appeal filed against the order passed in CWJC No. 15081 of 2018.

This writ application is, accordingly, dismissed as withdrawn with liberty to the petitioner to file a fresh writ



application after disposal of Letters Patent Appeal filed against
the order passed in CWJC No. 15081 of 2018.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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