

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10217 of 2021

Sweta Kumari Wife of Kul Prakash Resident of Lalan Sadan, Hospital Road,
Siwan, P.S.- Siwan, District- Siwan, Pin Code- 841226 (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Agriculture, Government of Bihar, Patna.
2. The Secretary, Department of Agriculture, Government of Bihar, Patna.
3. The Director, Department of Agriculture, Government of Bihar, Patna.
4. The Assistant Director (Plant Protection), Department of Agriculture, Government of Bihar, Patna.
5. The Bihar Public Service Commission, 15, Jawaharlal Nehru Marg (Bailey Road), Patna- 800001 through its Secretary.
6. The Chairman, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg (Bailey Road), Patna- 800001.
7. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg (Bailey Road), Patna- 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Dhanendra Chaubey, Advocate
For the State	:	Mr. Lalit Kishore (AG)
For the BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

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

Date : 06-12-2021

Heard learned counsels for respective parties.

In the instant petition, petitioner has prayed for the
following reliefs:-

“For issuance of an appropriate writ, order or directions to the Respondents to allow the Petitioner on the post of Assistant Director (Plant Protection), Bihar Agricultural Services Category-5 against vacant post in Unreserved Category in view of Advertisement No. 89 of 2014 from the date on which one seat is vacant due to



resignation of Abhishek Singh (Sl. No. 8) from the Unreserved Category selected vide Merit List dated 01.07.2019 and further to issue directions to the Respondent-BPSC to recommend the name of this petitioner as next successful candidate in merit point and any other relief or relief (s) be granted to the Petitioner for which she found entitled too.”

Grievance of the petitioner is with regard to recruitment to the post of Assistant Director (Plant Protection), Bihar Agricultural Services Category-5. Her claim is against resignation post. Abhishek Singh who was selected and appointed and resigned the post. Thus, the process of selection to the post of Assistant Director (Plant Protection) has attained finality. In the event of selected and appointed candidate like Abhishek Singh resigns from the post, the said post is required to be carried forward to the next recruitment in terms of Government Policy decision issued in the year 1977 followed by subsequent Notifications.

In the light of these facts and circumstances, the petitioner has not made out a case. Accordingly, writ petition stands dismissed.

(P. B. Bajanthri, J)

Vikash/-

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

