

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8263 of 2020

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1. Manohar Kumar S/o- Late Ramawatar Choudhary R/o Village- Mouzmabad, P.S.- Bihpur, District- Bhagalpur.
 2. Nutan Kumari W/o - Sanjeev Kumar R/o Mohalla- Navin Nagar, Hilsa, P.S.- Hilsa, District- Nalanda.
 3. Dharmnath S/o Jaganath Das R/o Village- Sabour, P.S.- Jagdishpur, District- Bhagalpur.
 4. Devendra Mohan Singh S/o- Narsingh Prasad Singh R/o Village- Badi Mangarpa, P.S.- Asarganj, District- Munger.
 5. Mukesh Kumar Mahto S/o Ram Bilash Mahto R/o Village- Bariyarpur West, P.S.- Khodawandpur, District- Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary Department of Education, Govt. of Bihar, Patna.
3. The Bihar Public Service Commission Through its Chairman.
4. The Chairman Bihar Public Service Commission.
5. The Secretary Bihar Public Service Commission.
6. The Union of India Through the Principal Secretary, Ministry of Human Resource Development, Govt. of India.

... .. Respondent/s

with

Civil Writ Jurisdiction Case No. 8246 of 2020

1. Amrendra Kumar Son of Shri Dilchand Prasad, resident of C/o EPC Kumar, Vivek Vihar Colony, Road No. 2, Hanuman Nagar, Kankarbagh, District - Patna, Pin Code - 800020.
2. Santosh Kumar, Son of Rambali Mahto, resident of Kadamkuan Chain Tola, P.S. Kadamkuan, District Patna, Pin Code - 800003.
3. Kundan Kumar, Son of Kumar Anil, resident of Puraniganj, Agarwal Tola, Monghyr, District Munger, Pin Code 811201.
4. Vinay Kumar, Son of Harendra Kumar, resident of Plot No. 35, Nirala Nagar, P.S.- Digha, District Patna, Pin Code 800011.
5. Navin Kumar, Son of Ram Swarup Singh, resident of Ward No. 05, Kushahar, P.S. - Tariganj, District - Sheohar, Pin Code - 843329.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Bihar, Patna.



2. Bihar Public Service Commission, Patna through its Secretary.
3. Chairman, Bihar Public Service Commission, Patna.
4. Secretary, Bihar Public Service Commission, Patna.
5. Controller of Examination, Bihar Public Service Commission, Patna.

... .. Respondent/s

Appearance :

(In CWJC No. 8263 of 2020)

For the Petitioner/s	:	Mr. Vishwajeet Kr. Mishra, Advocate
For the Respondent/s	:	Mr. (Dr.) K.N. Singh, ASG
		Mr. Ashok Kr. Choudhary, Sr. Advocate
		Mr. Prabhakar Jha, GP-27
		Mr. Tuhin Shankar, Advocate
		Mr. Satyabir Bharti, Advocate
		Mr. Sanjay Pandey, Advocate

(In CWJC No. 8246 of 2020)

For the Petitioner/s	:	Mr. Abhinav Srivastava, Advocate
For the Respondent/s	:	Mr. Manish Kumar, GP-4
		Mr. Sanjay Pandey, Advocate
		Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

14 24-07-2021 The matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Both the writ applications arise out of selection process undertaken by Bihar Public Service Commission for appointment of Lecturers in Government Teachers Training Colleges in the State of Bihar through Advertisement No. 02/2016.

This is not in dispute that the entire selection process has been set aside by a coordinate Bench of this Court by order dated 22.03.2021, passed in CWJC No. 15081 of 2018, paragraph-14 of which reads as under :-



“14. The Court in the facts of the case is left with no option but to quash the entire selection process as the opportunity provided to them to adopt corrective measure to accommodate the petitioners was not availed by the respondents and in the facts of the case the BPSC and the State are responsible for the situation which has occasioned on account of their misadventure which has led this Court to hold that the entire selection process is nullity.”

In view of the aforesaid order passed by a coordinate Bench of this Court, in the Court’s opinion, these two petitions have lost their efficacy.

It has been pointed out that appeals under letters patent of this Court are pending against the said order of this Court dated 22.03.2021. It goes without saying that if any cause of action arises after disposal of the said Letters Patent Appeal, the petitioners shall be at liberty to approach this Court. It is made clear that I have not gone into the merits of this case and the points raised thereunder, which shall be open for the parties to raise in appropriate proceedings.

These writ applications stand disposed of.

(Chakradhari Sharan Singh, J)

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