

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19755 of 2021

Dr. Avinash Kumar Jha, aged about 41 years, male, Son of Dr. Ravi Kant Jha,
Resident of Village - Hansour, Police Station - Belsand, District - Sitamarhi,
At present Janta Flat No. 14, Housing Board Colony, Damodarpur, Patahi,
P.S. - Kanti, Distt. - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Science and Technology Department, Govt. of Bihar.
3. The Director, Science and Technology, Govt. of Bihar, Patna.
4. The Bihar Public Service Commission, Patna, through its Chairman.
5. The Chairman, Bihar Public Service Commission, Patna.
6. The Secretary, Bihar Public Service Commission, Patna.
7. The Joint Secretary - Cum - Controller of Examination, Bihar Public Service Commission 15 Nehru Path (Bailey Road), Patna - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Mahendra Thakur, Adv.
For the State : Mr. Prabhat Ranjan, AC to GP-6'
For the B.P.S.C. : Mr. Sanjay Pandey, Adv.
Mr. Nishat Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 02-12-2021

Heard Mr. Mahendra Thakur, the learned
Advocate for the petitioner and Mr. Sanjay Pandey, the



learned counsel for the Bihar Public Service Commission. The State is represented by Mr. Prabhat Ranjan, the learned AC to GP-6.

2. The petitioner is aggrieved by the decision of the respondent authorities in non-suiting him for participating in the interview for post of Associate Professor in the subject Chemistry.

3. The minimum requisite qualification for a person to appear in the interview has been fixed as "minimum of 8 years of experience in teaching/research/industry out of which at least 2 years shall be post Ph.D experience". This qualification has further been clarified by making a note in the advertisement that "any person having the experience of teaching in any teaching/research or industry faculty at Level-10 would be treated as having requisite qualification".

4. The petitioner has failed to demonstrate that he has any experience of the kind which is required to become eligible for the post of Associate Professor. The petitioner claims that since he comes from economically



weaker section, such minimum requirement be waived.

5. This Court is afraid, this prayer cannot be
acceded to.

6. There is no merit in this writ petition and it is,
accordingly, dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

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

