

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.25241 of 2019

Sumit Kumar son of Sri Jagat Narayan Prasad Resident of Flat No. 101, Malabar Resort, Anantpur, Chutia, P.O.- Chutia, P.S. Chutia, District- Ranchi, Jharkhand-834001.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Bihar Public Service Commission through its Chairman, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
4. The Chairman, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
5. The Secretary, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
6. The Controller of Examination, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
7. The Hon'ble High Court of Judicature at Patna through the Learned Registrar General, Patna High Court, Patna.
8. The Learned Registrar General, Hon'ble High Court of Judicature at Patna, Patna High Court, Patna.
9. Aditya Kumar Sharma Resident of Bhola Tola English, District- Lakhisarai, Bihar- 811311.
10. Avichal Gyanesh C/o Sri Suresh Prasad, Resident of Thana Chowk, Sidhighat, Near Town Police Station, District- Khagaria, Bihar- 851204.
11. Varsha Kumari Resident of Village- Mungraure, P.O.- Jamalpur, District- Munger, Bihar- 811214.

... .. Respondents

Appearance :

For the Petitioner	:	Mr. Kumar Kaushik, Advocate
For the BPSC	:	Mr. Sanjay Pandey
		Mr. Nishant Kr. Jha, Advocates
For the Patna High Court	:	Mr. Piyush Lal, Advocate

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

and

HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE VIKASH JAIN)

Date : 02-09-2021

Heard learned counsel for the petitioner, learned counsel for the BPSC as well as learned counsel for the Patna High Court through video conference.



2. The following reliefs as formulated by the petitioner have been claimed in the writ petition -

“ (i) For issuance of order, direction or writ of Certiorari or any other appropriate writ for quashing the final result of 30th Bihar Judicial Services Competitive Examination dated 29.11.2019 published by the respondent commission on its website for appointment to Civil Judge (Junior Division) in pursuance of Advertisement No. 06/2018 dated 23.08.2018 to the extent to which the candidature of the petitioner, among others, has been cancelled for alleged non-submission of original copy of the character certificate, despite the fact that a scanned copy of the aforesaid document was produced by the petitioner on the date of interview (06.11.2019).

(ii) For issuance of order, direction or writ of Mandamus or any other appropriate writ for directing the respondent commission to immediately allow and process the candidature of petitioner who has submitted all requisite documents showing eligibility to participate in the selection process of 30th Bihar Judicial Services Competitive Examination for appointment to Civil Judge (Junior Division).

(iii) For issuance of order, direction or writ of Mandamus or any other appropriate writ directing the respondent commission to prepare and publish the updated result of 30th Bihar Judicial Services Competitive Examination after considering the candidature of the petitioner for appointment to Civil Judge (Junior Division) in pursuance of Examination Advertisement No. 06/2018 dated 23.08.2018.



(iv) For issuance of an order, direction or an appropriate writ for directing the respondent authorities to keep one post of Civil Judge (Junior Division) vacant during the pendency of the present writ application and further for restraining the commission from making recommendation of the last selected successful candidates in the unreserved category until disposal of the present writ application.

(v) For any other orders or direction which your Lordship may deem fit in the interest of equity, justice and good conscience."

3. At the outset itself, learned counsel for the petitioner fairly states that the issues involved in the present writ petition stand already decided in writ petitions filed by similarly situated persons in *C.W.J.C. No. 24282 of 2019 (Aarav Jain Vs. The Bihar Public Service Commission and Ors.)* and *C.W.J.C. No. 2172 of 2020 (Ratnakar Dubey and Ors. Vs. The State of Bihar and Ors.)*, against which, in turn, SLPs have been filed and are pending before the Hon'ble Supreme Court.

4. Learned counsel for the BPSC as well as learned counsel for the Patna High Court appear and have been heard.

5. Having regard to the stand of the petitioner, the present writ petition is dismissed for the same reasons and in line with the judgments passed in the aforesaid *C.W.J.C. No. 24282 of 2019 (Aarav Jain Vs. The Bihar Public Service Commission and Ors.)*



and C.W.J.C. No. 2172 of 2020 (Ratnakar Dubey and Ors. Vs. The State of Bihar and Ors.).

(Vikash Jain, J)

(Anjani Kumar Sharan, J)

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AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	08.09.2021
Transmission Date	N.A.

