

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4297 of 2022

Dr. Upendra Narayan Pandey Son of Late Chandrika Pandey, Resident of Village - Ward No. 11, Chakbandi Road, Bhabua, P.S. - Bhabua, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
3. The Principal Secretary, Department of Health, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
4. The Special Secretary, Department of Health, Government of Bihar, Vikash Bhawan Bailey Road, Patna.
5. The Additional Secretary, Department of Health, Government of Bihar, Vikash Bhawan, Bailey Road, Patna.
6. The Bihar Technical Services Commission, 19, Harding Road, Government of Bihar, Patna through its Secretary.
7. The Chairman, Bihar Technical Services Commission, 19, Harding Road, Patna.
8. The Secretary The Bihar Technical Services Commission, 19, Harding Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rajani Kant Pandey
For the State	:	Mr. Rajeshwar Singh, GA-10
For the BTSC	:	Mr. Nikesh Kumar.

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

Date : 30-03-2022

Heard the learned counsels for the parties.

2. In the instant petition, petitioner has prayed for

following reliefs:-

“(i) Issuance of an order, direction or writ in the nature of certiorari quashing that part of advertisement No. 4/2020-9/2020 as contained in clause 3 by which the age limit for appointment has



been fixed by the Bihar Technical Service Commission (hereinafter referred to as “commission”)

(ii) Issuance of an order, direction or writ in the nature of mandamus to the respondent commission/respondent authorities to fix the age limit as per circular dated 23-1-2006 which categorically stipulates the relaxation of age on the basis of the last examination so conducted.

(iii) Issuance of an order, direction or appropriate declaration that the commission cannot decide eligibility criteria dehors the Rules.

(iv) Any other relief or reliefs as the petitioner may be found entitled to in the facts and circumstance of the case.”

3. Pursuant to the advertisement dated 29.09.2020 for the post of Ayush Doctors, the last date prescribed for submission of application was 28.10.2020. Petitioner was aware that he is not within the age limit prescribed for the post and his intention is to get certain benefits of age relaxation. He is also aware of the fact that application is required to be submitted through online. If petitioner’s application is to be submitted through online, the system will not accept with reference to the age of the petitioner. Therefore, petitioner should have approached this Court prior to the last date, namely 28.10.2020 whereas the present petition is presented on 09.03.2022 which is beyond the last date prescribed for submission of application. Therefore, grievance



of the petitioner cannot be redressed at this belated stage.
Hence, the present petition stands dismissed.

(P. B. Bajanthri, J)

rakhi/-

AFR/NAFR	
CAV DATE	
Uploading Date	05.04.2022
Transmission Date	

