

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6072 of 2020

=====

Manoj Kumar, Gender- Male, aged about 42 years, Son of Shiv Chandra Yadav, resident of Village- Baryahi, Post Office- Samaria, Police Station- Barauni, District- Begusarai- 851126.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Bihar Public Service Commission, through its Secretary, Patna.
3. The Chairman, Bihar Public Service Commission, Patna.
4. The Secretary, Bihar Public Service Commission, Patna.
5. The Joint Secretary-cum- Examination Controller, Bihar Public Service Commission, Patna.
6. The Circle Officer, Barauni, Begusarai.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Rajeev Shekhar and Mr. Sanjeev Kumar, Advocates
For the Respondent/s	:	Mr. Madhukar Mishra, AC to SC 6
For the BPSC	:	Mr. Sanjay Pandey and Mr. Nishant Kumar Jha, Advocates

=====

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 22-02-2022 Heard the parties.

Learned counsel for the petitioner has made reference of the order passed by the co-ordinate Bench of this Court in the earlier writ petition filed by him to submit that the authorities were required to examine the case of the petitioner. In order to understand the dispute, it would be appropriate to quote the order passed by the co-ordinate Bench of this Court in the earlier writ petition filed by the petitioner dated



28.08.2019, which reads as under:-

“The kind of relief prayed for in the present writ application is not amenable to the writ jurisdiction under Article 226 of the Constitution of India. However, the issue of equity and sympathetic consideration can be addressed by the BPSC if there is no misrepresentation of substantive nature.

The BPSC may consider the case of the petitioner, if others were allowed correction, the petitioner may also be extended benefit in similar terms.

Necessary decision in this regard may be taken by the respondents at the earliest preferably within a period of two months from the date of receipt/production of a copy of this order.

With the aforesaid, the writ application stands disposed of.”

Thus, from the aforesaid, it is apparent that this Court refused to entertain the writ petition treating it as not amenable to writ jurisdiction. In the present petition, the petitioner has again raised the same dispute.

In view thereof, the writ petition is dismissed as not amenable.

(Sanjeev Prakash Sharma, J)

Anand Kr.

U			
---	--	--	--

