

IN THE HIGH COURT OF JUDICATURE AT PATNA

Miscellaneous Jurisdiction Case No.3123 of 2019

Arising out of

Letters Patent Appeal No.1301 of 2018

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Satish Kumar Tiwari, age about 30 years, male, Son of Mahendra Kumar Tiwari, Resident of Village- C/62 Rajiv Nagar, Kalyanpur, Lucknow -226022 Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education Government of Bihar.
2. The Hon'ble Chancellor, Universities of Bihar, Raj Bhavan, Patna-01.
3. The Secretary, Bihar Public Service Commission, 15, Jawaharlal Nehru, Marg, (Bailey Road), Patna-1.
4. The Joint Secretary-Cum-Controller of Examination, Bihar Public Service Commission, 15 Jawaharlal Nehru Marg, (Bailey Road), Patna-1.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanket Kumar, Advocate
For the State	:	Mr. Priyadarshi Matri Sharan, AC to AAG 15
For the B.P.S.C.	:	Mr. Satyabir Bharti, Advocate
For the Chancellor	:	Mr. Rajendra Kumar Giri, Advocate

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

and

HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH)

3 11-11-2022 The matter has been heard through video conferencing.

2. Heard Mr. Sanket Kumar, learned counsel for the petitioner; Mr. Priyadarshi Matri Sharan, learned AC to AAG 15 for the State; Mr. Satyabir Bharti, learned counsel for the Bihar Public Service Commission and Mr. Rajendra Kumar Giri, learned counsel for the Hon'ble Chancellor of Universities,



Bihar.

3. The petitioner has moved the Court alleging non compliance of order dated 26.03.2019 passed in L.P.A. No. 1301 of 2018.

4. The operative portion of the order at paragraph no. 11, reads as under:

“Consequently, the appeal is allowed and the impugned judgment dated 3rd of April, 2018 is set aside with liberty to the respondent-petitioners to represent the matter before His Excellency the Chancellor in relation to the aforesaid clause of preparation of wait-list as per Statute 5.7 and in the event such a representation is made. We hope and expect that the office of the Chancellor shall take up the matter expeditiously and dispose of the same as early as possible, preferably within two months of the date of presentation of a representation and issue necessary directions keeping in view the aforesaid issue having been raised which is not only concerned with the present dispute but may also arise in future.”

5. From the pleadings, it appears that pursuant to a representation filed, the Hon’ble Chancellor had constituted a committee to recommend the modality for preparation of wait list and the same has also been communicated to the Bihar Public Service Commission.

6. The position is not disputed.

7. Having regard to the aforesaid, the Court finds that



the direction/observation of the Court in its order dated
26.03.2019 in L.P.A. No. 1301 of 2018 stands complied with.

8. Accordingly, the petition stands disposed of.

(Ahsanuddin Amanullah, J)

(Sunil Dutta Mishra, J)

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