

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.1483 of 2023**

Abhash Sinha S/o Bipin Bihari Sinha R/o A-203, Rajkishori Complex,  
Mulchand Path, Kankarbag, Patna, P.S.-Agamkuan, District-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary General Administration Department, Bihar, Patna.
2. Principal Secretary Health Department, Bihar, Patna.
3. Special Secretary Health Department, Bihar, Patna.
4. The Chairman, Bihar Technical Service Commission, Bihar, Patna.
5. The Secretary, Bihar Technical Service Commission, Bihar, Patna.
6. The Assistant Secretary, Bihar Technical Service Commission, Bihar, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                     |
|----------------------|---|-------------------------------------|
| For the Petitioner/s | : | Mr. Vishal Saurabh, Advocate        |
| For the State        | : | Mr. Birju Prasad GP 13              |
|                      |   | Mr. Arjit Anaand, AC to GP 13       |
| For the B.T.S.C      | : | Mr. Nikesh Kumar, Advocate          |
|                      |   | Mr. Bijay Shankar Chaubey, Advocate |

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD**  
**ORAL ORDER**

3      22-06-2023                      Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar Technical Service Commission (for brevity 'B.T.S.C).

2. The petitioner seeks quashing of the memo dated 26.12.2022, by which appointment has been made on the post of Physiotherapist/Occupational Therapist. The selection is pursuant to the advertisement no. 02 of 2020. The petitioner was an applicant and has emerged unsuccessful in the selection process on the ground that he relied upon qualifications issued by fake University. The findings to this effect, as contained in



Annexure 6, has not been assailed by the petitioner. He rather assails the entire selection process and quashing of the memo whereby the appointment has been made.

3. The law is well-settled that having participated in the selection process, the grounds for assailing the process are very limited.

4. In the instant case, no ground has been made out for challenging the selection process. Just because the petitioner has emerged unsuccessful and merely for his asking, that also without challenging rejection of his candidature by Annexure-6, selection process cannot be interfered with, that also without impleading any selected candidate.

5. No case is made out for interference.

6. The writ petition is dismissed.

**(Madhuresh Prasad, J)**

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