

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1655 of 2022

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Hari Om Kanaujia Son of Baij Nath Kanaujia, Resident of 64, Nauvasta,
Kalyanpur, Kanpur Nagar, Uttar Pradesh, Pin code - 808017.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, (Bailey Road), Patna.
3. The Chairman, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, (Bailey Road), Patna.
4. The Joint Secretary- cum- Examination Controller, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, (Bailey Road), Patna.
5. The Joint Secretary - cum- Examination Controller, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, (Bailey Road), Patna.
6. The Deputy Secretary - cum- 1st Appellate Authority, Bihar Public Service Commission, 15, Jawaharlal Nehru Marg, (Bailey Road), Patna.
7. The High Court of Judicature at Patna in its Administrative side through the Registrar General Patna High Court, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jeetendra Narayan, Adv.
For the State	:	Mr. Suman Kumar Jha, AC to AAG3
For the BPSC	:	Mr. Sanjay Pandey, Adv.
		Mr. Nishant Jha, Adv.
For the High Court	:	Mr. Piyush Lall, Adv.

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
and
HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR)

Date : 22-02-2023

Heard Mr. Jeetendra Narayan, learned advocate
for the petitioner, Mr. Sanjay Pandey for the BPSC and Mr.
Piyush Lall for the Patna High Court. The State is
represented by Mr. Suman Kumar Jha.



The petitioner, a candidate in the 30th Bihar Judicial Service Competitive Examination, has sought an intervention of this Court for his accommodation in the service as he was left behind by only one mark.

It has been urged on behalf of the petitioner that he had secured 516 marks and the cut-off marks in his category (UR) was 517.

The aforementioned writ petition was filed on the presumption that the vacancies are still available and therefore, the case of the petitioner could be sympathetically considered.

The learned counsel for the Commission as also the High Court would contend that all the vacancies have been filled. Otherwise also, the petitioner has not attained the qualifying marks for being considered even if that be by one mark.

The claim of the petitioner that his answer-book was not evaluated properly has not been pleaded in the writ petition.



There does not appear to be any merit in this writ
petition and therefore it is dismissed.

(Ashutosh Kumar, J)

(Harish Kumar, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.02.2023
Transmission Date	

