

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3092 of 2023

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Aakanksha Gupta, Daughter of Anil Kumar Gupta, Resident of Ward No. 18,
P.S. Bhabhua, District- Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Home (Police), Government of Bihar, Patna.
2. The Director General of Police, Sardar Patel Bhawan, Bailey Road, Patna.
3. The Bihar Police Subordinate Service Commission, through its Secretary, Santosh Mansion, R Block, Near R.P.S. Law College, Ragunath Path, Danapur, Patna- 801503
4. The Chairman, Bihar Police Subordinate Service Commission, Santosh Mansion, R Block, Near R.P.S. Law College, Ragunath Path, Danapur, Patna- 801503
5. The Dy. Superintendent of Police-cum-Public Information Officer, Bihar Police Subordinate Service Commission, Santosh Mansion, R Block, Near R.P.S. Law College, Ragunath Path, Danapur, Patna- 801503

... .. Respondent/s

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Appearance :

For the Petitioner	:	Mr.Pawan Kumar Singh, Advocate
For the State	:	Mr.Sanjay Kumar Ghosarvey, AC to AAG-3
For BPSSC	:	Mr.Sanjay Pandey, Advocate
		Mr.Nishant Kr. Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 25-07-2023 1. Heard learned counsel for the petitioner and learned counsel for the State, as well as learned counsel for the Bihar Police Subordinate Service Commission (hereinafter referred as “Commission”).

2. The petitioner’s grievance is her non-inclusion in the select list for the Bihar Police Subordinate Service in the procedure for appointment pursuant to Advertisement No. 3 of 2020. It is her grievance that she has obtained 131.8 marks,



which is the cutoff marks in the process for the category in which she participated (EBC).

3. Learned counsel for the respondent-Commission on the other hand submits that from the writ application, it is evident that she has approached the Information Officer seeking information as to why she was not included in the select list. Upon instructions, he submits that in case of there being more than one person within the cutoff marks, having the last marks fixed as cutoff, the commission, in terms of the State Government decisions, relies upon seniority based on date of birth. It is only under such circumstance that a candidate, though having cutoff marks, may not be included in the select list.

4. Learned counsel for the petitioner submits that no such intimation has been made available to the petitioner inspite of application (Annexure-2).

5. Since the grievance is that she has not been informed the reasons of her non-selection and since from averments made in the writ petition it appears that she has obtained the cutoff marks, the writ application is disposed of with a direction to the Deputy Superintendent of Police-cum-Public Information Officer (Respondent No.5) to communicate the reasons for non-inclusion of the petitioner in the select list



within a period of eight weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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