

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1905 of 2023

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Brajesh Kumar Singh S/o Ram Pukar Ram, R/o New Colony Pakari Ara,
P.O.- Nawada Ara, P.S.- Nawada, District- Bhojpur (Ara)

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondents

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with

Civil Writ Jurisdiction Case No. 19913 of 2021

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Bhanu Shankar Prasad S/o - Hare Krishna Prasad R/o - Bulakisah Lane
Baltikhana chowk, Mirjanhat P.S. - Mojahidpur, Distt- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Higher education, Bihar, Patna.
2. The Secretary, Bihar State university service Commission, 8th floor, Bihar School Examination Board, Akadamik Bhawan, Budh Marg, Patna. - 1.

... .. Respondents

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with

Civil Writ Jurisdiction Case No. 350 of 2022

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Vikash Kumar Son of Sri Shiv Lakhan Singh Resident of Shiv Mani Sadan,
Lalu Path, Bhatta Par, Purvi Rupaspur, Dhanaut, P.S. Rupaspur, District- Patna.

... .. Petitioner

Versus

1. The State of Bihar through Chief Secretary, Bihar, Patna.
2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Secretary, 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna.
4. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna.

... .. Respondents



with
Civil Writ Jurisdiction Case No. 15309 of 2022

Dr. Pushpa Kumari W/o Dinesh Kumar Gupta, R/o Saristabad West Tola, P.O.
- Anisabad, P.S.- Gardanibagh, District - Patna, Bihar - 800002.

... .. Petitioner

Versus

1. The Bihar State University Service Commission 8th Floor, Bihar School Examination Board Academic Building, Buddh Marg, Patna - 800001 through its Secretary.
2. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Buddh Marg, Patna - 800001.

... .. Respondents

with
Civil Writ Jurisdiction Case No. 251 of 2023

Dr. Seema Prasad @ Seema Prasad Wife of Dr. Sudama Prasad Resident of Flat- B 503, Nandan Tower, Lohia Nagar, P.S.- Kankarbagh, District- Patna, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chancellor of Bihar Universities, Governors Secretariat, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
5. Bihar State University Service Commission, through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
7. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.

... .. Respondents

with
Civil Writ Jurisdiction Case No. 1704 of 2023

Pramod Kumar Yadav Son of Rajanand Yadav, Resident of Village Raghapur, Police Station- Raghapur, District- Supaul. Petitioner

Versus

1. The Bihar State University Service Commission Patna, 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg- 800001, Patna through its Chairman.
2. The Chairman, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg,



Patna - 800001

3. The Secretary, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg, Patna - 800001

... .. Respondents

with

Civil Writ Jurisdiction Case No. 1901 of 2023

Sangeeta Kumari D/o- Shivnandan Prasad, W/o Satyendra Prasad R/o- Barhauna, P.O.- Meyar, P.S.- Chabilapur, District- Nalanda, At present- Near Bukhari Mosque Gali, Old Jail Road, P.O. and P.S.- Bihar Sharif, District- Nalanda. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 1902 of 2023

Vasundhara Raj D/o Rakesh Gupta R/o Sahu Road, Chhoti Kalyani, P.S.- Town, District- Muzaffarpur, At present- Mukherjee Seminari, Santi Nursery, P.S.- Town, District- Muzaffarpur. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 1941 of 2023



Dr. Ranjeet Kumar Son of Munni Mahto Resident of Vilalge-Chita Kohara Basti, Post Anisabad, P.S.-Gardani Bagh District-Patna, Pin-800002.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secreary, Education Department, Govt. of Bihar, Patna.
2. The Director, Higher Education, Govt. of Bihar, Patna.
3. The Chairman, Bihar State University Service Commission, 8th Floor Bihar School Examination Board, Academic Building, Budh Marg, Patna-01.
4. The Bihar State University Service Commission, through its Secretary, 8th Floor Bihar School Examination Board, Academic Building, Budh Marg, Patna-01.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 2571 of 2023

Amrita Kumari D/o Premchandra Thakur, Resident of Hajiyapur Ward No. 09, Gopalganj, P.S. - Gopalganj Town, District - Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar through Additional Chief Secretary, Department of Human Resource Development, Govt. of Bihar, Patna.
2. Additional Chief Secretary, Department of General Administration, Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. Bihar State University Service Commissioner Patna through the Chairman, 8th Floor, BSEB Building (Admin. Block), Budh Marg, Patna, Bihar.
5. The Secretary, Bihar State University Service Commission Patna, 8th Floor, BSEB Building (Admin. Block), Budh Marg, Patna, Bihar.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 2844 of 2023

Hema Kumari D/o Bipin Prasad Gupta, R/o Arun Kumar Music Junction, Ward No. 17, SBI More, Main Road, Madhepura, PIN- 852113, P.S.- Madhepura, District- Madhepura, Bihar.

... .. Petitioner

Versus

1. The State of Bihar Bihar.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. Bihar State University Service Commission, Patna through its Secretary.
4. The Chairman, Bihar State University Service Commission, Patna, Bihar.
5. The Secretary, Bihar State University Service Commission, Bihar, Patna.

... .. Respondents



with
Civil Writ Jurisdiction Case No. 3094 of 2023

Dr. Sharmila Kumari @ Sharmila Kumari Wife of Rajesh Kumar, Resident of
Village- Virasat, Post- Bairiya, P.S.- Gopalpur, District- Patna, Bihar.

... .. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chancellor of Bihar Universities, Governors Secretariat, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
5. Bihar State University Service Commission, through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
7. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.

... .. Respondents

with
Civil Writ Jurisdiction Case No. 3606 of 2023

Pankaj Kumar Son of Umesh Kumar Sah, Resident of- Ward No. 8, Maranchi
Ujagar (Hasanpur), S. Mill, P.S.- Hasanpur, District- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondents

with
Civil Writ Jurisdiction Case No. 3628 of 2023

Shivajee Kumar S/o Mahant Sah, R/o Akhil Yamuna Residency, Flat No.-
302, Mother Teresa Path, Ramkrishna Nagar, New Jaganpura, Patna P.S. -
Ramkrishna Nagar, District - Patna.

... .. Petitioner



Versus

1. The State of Bihar through Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Higher Education, Education Department, Government of Bihar, Patna.
3. The Bihar State University Service Commission through its Secretary, 8th Floor, Bihar School Examination Board, Academic Building, Budh Marg, Patna - 800001.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board, Academic Building, Budh Marg, Patna - 800001.
5. The Deputy Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board, Academic Building, Budh Marg, Patna - 800001.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 3671 of 2023

Dr. Rishikesh Kumar S/o Nagendra Prasad Singh R/o Village Bhikhanpura,
P.S.- Desari, District- Vaishali, State Bihar. Petitioner

Versus

1. The Bihar State University Service Commission through its Secretary.
2. The Chairman, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
3. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 3975 of 2023

Phoolhasan Ansari Son of Jamaluddin Ansari @ Jamaluddin Resident of
Village and P.S.-Naoun, District-Kaimur, Bihar Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chancellor of Bihar Universities Governors Secretariat, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
5. Bihar State University Service Commission through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
7. The Principal Secretary, Department of General Administration,



Government of Bihar, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 3992 of 2023

Dr. Uma Kumari @ Uma Kumari Wife of B. Kumar, Resident of Awadhपुरी Lane No. 3, Near St. Karens High School, Sushila Enclave Road, East Gola Road, P.S.-Danapur, District-Patna, Bihar. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chancellor of Bihar Universities, Governors Secretariat, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
5. Bihar State University Service Commission through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
7. The Principal Secretary, Department of General Administration, Government of Bihar, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 4440 of 2023

Manoj Kumar Son of Arjun Sah @ Arjun Kumar, Resident of Mohalla- Near Shitla Sthan Lalkothi, Post Office- Naya Bazar, Police Station- Tatarpur, District- Bhagalpur. Petitioner

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Education Department, Government of Bihar, Patna.
4. The Director, Higher Education, Government of Bihar, Patna.
5. The Bihar State University Service Commission, Patna through its Secretary.
6. The Chairman, Bihar State University Service Commission, Patna, Bihar.
7. The Secretary, Bihar State University Service Commission, Patna, Bihar.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 4630 of 2023



Anita Kumari Wife of Ajit Kumar Sharma, Resident of East Side Mission Girls Middle School, C/o- Krishna Mistri (JE), West Church Road, Red Cross, Gaya, P.S.- Rampur, District- Gaya. Petitioner

Versus

1. The State of Bihar through Principal Secretary Dept. of Education, Govt. of Bihar.
2. The Chairman, Bihar State University Service Commission, Patna.
3. The Secretary, Bihar State University Service Commission, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 5473 of 2023

Sabita Kumari D/o- Bijay Kumar Prasad, R/o- Village- New Colony, Dakbungalow Road, Bettiah, P.O. Bettiah, Police Station -Town P.S. Bettiah, Dist.- West Champaran. Petitioner

Versus

1. The State of Bihar, through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 5496 of 2023

Md. Aslam Son of Md. Hafizullah Quarishi, resident of Village - Life Line Nursing Home, Police Station - Rampur, District – Gaya. Petitioner

Versus

1. The Bihar State University Service Commission Patna 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg - 800001, Patna through its Chairman.
2. The Chairman, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg, Patna - 800001.
3. The Secretary, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Bhawan, Buddha Marg, Patna - 800001.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 6116 of 2023



Vijayshree Kashyap Daughter of Manoranjan Ganju, Resident of CA-57, P.C. Colony, Kankarbagh, P.S.- Kankarbagh, District- Patna. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Bihar State University Service Commission, through its Chairman, Bihar, Patna.
3. The Secretary, Bihar State University Service Commission, Patna.

... .. Respondents

with

Civil Writ Jurisdiction Case No. 6433 of 2023

1. Dr. Anjali Kumari @ Anjali Kumari Daughter of Surendra Prasad Gupta Resident of Village-Post- Sirsiya, P.S.- Bhairoganj, Division-Bagha, District-West Champaran, Bihar.
2. Dr. Shashi Prabha @ Shashi Prabha Wife of Shyam Babu Prasad Resident of Village-Gajiyapur, P.O.-Parasgarh, P.S. Ekma, District-Saran, Bihar.
3. Dr. Garima Verma @ Garima Verma Daughter of Prahlad Kumar Resident of Village-Sandalpur, Near Girls School, P.S.-Kasim Bazar, District-Munger, Bihar.
4. Dr. Jafar Ali @ Jafar Ali Son of Asgar Ali Resident of village-Fidar Bazar, Near Sumeswari Devi Inter College, P.S.-Bhagwan Bazar, District-Saran (Chapra), Bihar.

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chancellor of Bihar University, Governors Secretariat, Patna.
3. The Principal Secretary, Department of Education, Government of Bihar, Patna.
4. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
5. Bihar State University Service Commission, through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna. Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna. Bihar.
7. The Principal Secretary, Department of General Administration , Government of Bihar, Patna.

... .. Respondents

Appearance :

(In Civil Writ Jurisdiction Case No. 1905 of 2023)

For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Respondent/s : Mr. Prabhakar Jha, GP- 27
Mr. Umesh Kumar Dubey, AC to GP-27
For the Commission : Mr. P.K. Shahi, Senior Advocate



Mr. Tuhin Shankar, Advocate
Mr. Pawan Kumar Chaudhary, Advocate
(In Civil Writ Jurisdiction Case No. 19913 of 2021)
For the Petitioner/s : Mr. K.N Jha, Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadaw, GP- 23
For B.S.U.S.C : Mr. Pawan Kurmar Chaudhary, Advocate.
(In Civil Writ Jurisdiction Case No. 350 of 2022)
For the Petitioner/s : Mr. Rajan Ghoshrahe, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP- 17
For B.S.U.S.C : Mr. Pawan Kurmar Chaudhary, Advocate.
(In Civil Writ Jurisdiction Case No. 15309 of 2022)
For the Petitioner/s : Mr. Purushottam Kumar Jha, Advocate
For the B.S.U.S.C : Mr. Pawan Kurmar Chaudhary, Advocate
(In Civil Writ Jurisdiction Case No. 251 of 2023)
For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP- 17
For the Chancellor : Mr. Rana Vikram Singh, Advocate
(In Civil Writ Jurisdiction Case No. 1704 of 2023)
For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Respondent/s : Mr. Pawan Kumar Choudhary, Advocate
For the Commission : Mr. Harsh Singh, Advocate
(In Civil Writ Jurisdiction Case No. 1901 of 2023)
For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Respondent/s : Ms. Binita Singh, SC-28
(In Civil Writ Jurisdiction Case No. 1902 of 2023)
For the Petitioner/s : Mr. Chandra Shekhar Singh, Advocate
For the Respondent/s : Mr. Prabhakar Jha, GP-27
Mr. Mukund Mohan Jha, AC to GP-27
(In Civil Writ Jurisdiction Case No. 1941 of 2023)
For the Petitioner/s : Mr. Alok Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra , SC-16
(In Civil Writ Jurisdiction Case No. 2571 of 2023)
For the Petitioner/s : Mr. Prabhakar Singh, Advocate
For the Respondent/s : Ms. Binita Singh, SC-28
(In Civil Writ Jurisdiction Case No. 2844 of 2023)
For the Petitioner/s : Mr. Rakesh Kumar Singh, Advocate
Mr. Satyadeep Kumar Singh, Advocate
For the Respondent/s : Mr. Jitendra Kumar Roy 1, SC- 13
(In Civil Writ Jurisdiction Case No. 3094 of 2023)
For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s : Mr. Prabhakar Jha, GP- 27
Mr. Hari Mohan Mishra, AC to GP-27
For the Chancellor : Mr. Rana Vikram Singh, Advocate
(In Civil Writ Jurisdiction Case No. 3606 of 2023)
For the Petitioner/s : Mr. Girijish Kumar, Advocate
For the Respondent/s : Mr. Madhaw Prasad Yadaw, GP- 23
For the Commission : Mr. Pawan Kumar, Advocate
Ms. Pratibha, Advocate
(In Civil Writ Jurisdiction Case No. 3628 of 2023)
For the Petitioner/s : Mr. Vishal Saurabh, Advocate
For the Respondent/s : Mr. Madanjeet Kumar, GP-20
(In Civil Writ Jurisdiction Case No. 3671 of 2023)
For the Petitioner/s : Mr. Amit Narayan, Advocate
For the Commission : Mr. Priyadarshi Maitri Sharan, Advocate
(In Civil Writ Jurisdiction Case No. 3975 of 2023)
For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
Mr. Pratyush Kumar, Advocate



For the Respondent/s : Mr. Madanjeet Kumar, GP- 20
For the Chancellor : Mr. Rana Vikram Singh, Advocate
For the Commission : Mr. Pawan Kumar, Advocate
Ms. Pratibha, Advocate
(In Civil Writ Jurisdiction Case No. 3992 of 2023)
For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s : Ms. Binita Singh, SC-28
For the Chancellor : Mr. Rana Vikram Singh, Advocate
(In Civil Writ Jurisdiction Case No. 4440 of 2023)
For the Petitioner/s : Mr. Diwakar Yadav, Advocate
For the Respondent/s : Ms. Binita Singh, SC- 28
(In Civil Writ Jurisdiction Case No. 4630 of 2023)
For the Petitioner/s : Mr. Asif Kalim, Advocate
For the Respondent/s : Mr. Jitendra Kr. Roy 1, SC-13
For the Commission : Mr. Harsh Singh, Advocate
(In Civil Writ Jurisdiction Case No. 5473 of 2023)
For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate
For the Respondent/s : Ms. Binita Singh, SC- 28
For the Commission : Mr. Pawan Kumar Choudhary, Advocate
(In Civil Writ Jurisdiction Case No. 5496 of 2023)
For the Petitioner/s : Mr. Umesh Prasad, Advocate
For the Commission : Mr. Pawan Kumar Choudhary, Advocate
(In Civil Writ Jurisdiction Case No. 6116 of 2023)
For the Petitioner/s : Mr. Prashant Sinha, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra, SC- 16
For the Commission : Mr. Harsh Singh, Advocate
(In Civil Writ Jurisdiction Case No. 6433 of 2023)
For the Petitioner/s : Mr. Vikash Kumar Pankaj, Advocate
For the Respondent/s : Mr. Kameshwar Kumar, GP- 17
Mr. Arbind Kumar, AC to GP-17
For the Chancellor : Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

7 31-08-2023 Heard learned counsel for the petitioners in this batch of writ applications, Mr. P.K. Shahi, learned Senior Advocate assisted by Mr. Tuhin Shankar, learned Counsel and Mr. Pawan Kumar Chaudhary, learned Counsel for the Bihar State University Service Commission (hereinafter referred to as the 'Commission') and learned counsel for the State.

2. The petitioners in these writ applications except in C.W.J.C. No. 1704 of 2023 are seeking quashing of the order as contained in Notice No. 145 dated 19.01.2023 issued by the



Commission with respect to the petitioners whereby the original certificate of non-creamy layer submitted by them have been rejected and the petitioners who belong to the Backward Class Category (BC), and in Extremely Backward Class Category (EBC) have put under Unreserved Category (UR).

3. In CWJC No. 1704 of 2023, however, the petitioner has prayed for a writ in the nature of Mandamus directing the respondentd to allow him to appear in the ensuing interview scheduled on 27.01.2023 for selection to the post of Assistant Professor of Psychology and after selection he should be appointed on the said post. During pendency of the writ application, this Court vide an interim order dated 14.02.2023 has restrained the respondents from declaring the results for the post of Assistant Professor, Psychology.

4. One thing which is common in all these cases is that the petitioners are participating in the selection process for appointment on the post of Assistant Professor under the Advertisement No. AP-PSYC-16/20-21 dated 21.09.2020.

5. Mr. P.K. Shahi, learned Senior counsel for the Commission has informed this Court that the advertisement in question was challenged in C.W.J.C. No. 8932 of 2022 and four other writ applications. Those writ applications have been heard



and disposed of by a common judgment dated 24.02.2023. The learned Writ Court has, in the said batch of writ applications, issued the following directions:-

“ Therefore, it is directed that the respondents shall revise the bifurcation of post on the principle of calculation of backlog posts as observed as given hereinabove. The said backlog posts shall be treated as a separate class. The post of current vacancies shall be bifurcated in different categories strictly in accordance with the provisions of the **Act of 1991** and by treating all the post in various Universities together subject-wise. Backlog posts have to be mentioned separately and current posts separately in the advertisement.

43. After conducting the aforesaid exercise, the University shall call candidates for the posts, which are found to have not been filled from the respective category, for interview and recommend their selections accordingly.

44. Those selections, which have already been made and concluded by the Commission, shall not be disturbed. Meaning thereby, if candidates from Reserved Category have already been selected, they shall be deemed to have filled the respective backlog posts and thereafter the posts meant for them in current vacancies. Thus, posts which remained unfilled shall be treated by the respondents to be meant for Open Category or General category and the exercise as directed in the aforementioned para shall be conducted for the said posts also.

45. In cases where the selections in subjects this Court has restrained the respondents from giving appointments or restrained from declaring the result, the



respondents shall after conducting the exercise of earmarking the backlog posts as above, conduct the selection process for the remaining post and declare the result together after calling for interview additional candidates of the category as well as those who would be called for interview in terms of the additional posts earmarked for their category. The appointments shall thereafter be made.

46. The candidates belonging to Disabled Category and Wards of Freedom Fighters shall also be called additionally for interview after calculating the number of posts from all the Universities. The selected candidate shall have to be replaced by such category candidate even if the said candidate possesses higher merit. Similar exercise for E.W.S. Category shall also be done.

47. Keeping in view the interim direction issued by this Court that all the selections have been once made subject to the decision of this case, the aforesaid directions are being issued.”

6. It is informed that the State of Bihar, being aggrieved by a part of the judgment of this Court in the writ applications insofar as it leads to an adjudication that the vacancies of different Universities could not have been clubbed for purpose of calculation of reservations, has challenged the same before the Division Bench in LPA No. 604 of 2023 and six others. It is informed that some of the petitioners have also preferred Letters Patent Appeals in the matter and a non-party has also filed LPA after seeking leave of the Court.



7. Mr. P.K. Shahi, learned Senior Advocate has submitted that because of the directions of the learned Writ Court to revise the bifurcation of post and the same being under challenge in the L.P.A, the entire appointment and selection process has come to a stand still, and to him, it appears that only after the decision of the Hon'ble Division Bench in the pending Letters Patents Appeals, an appropriate view with regard to the further selection process to be adopted by the State and the Commission may be taken. It is, thus, his submission that at this stage these writ applications have lost their significance and many things would depend upon the final outcome of the LPAs and the subsequent view to be taken by the State in the matter of further selection process.

8. Therefore, it is submitted on behalf of the Commission and the same has been endorsed by learned counsel for the State that these writ applications may be disposed of at this stage as being pre-matured with liberty to the petitioners to raise their grievances, if so required, in future as and when any such occasion arises to them pursuant to the fresh selection process which may be taken up by State and the Commission.

9. This Court has been informed that in CWJC No. 1901 of 2023, there is an interim order dated 16.02.2023



wherein this Court has restrained the respondents from declaring the result of the Psychology subject. Similar is the order passed in respect of the subject Philosophy in CWJC No. 251 of 2023.

10. At the same time, paragraph '45' of the judgment of the learned Writ Court in C.W.J.C. No. 8932 of 2020 has been placed which specifically deals with such cases in which interim orders have been passed by this Court and how the things will proceed in such cases.

11. In fact, it is submitted that paragraph '45' will again operate only upon revision of the bifurcation of posts and that situation cannot be envisaged at this stage when the letters patent appeals are still pending consideration before the Hon'be Division Bench.

12. Having taken note of the stand of the State and Commission as indicated hereinabove, this Court is of the considered opinion that instead of keeping these writ applications pending, it would be appropriate to dispose of these writ applications reserving the rights of the petitioners to agitate any issue which may arise pursuant to the start of selection process, if any initiated by the State after decision in the L.P.As. and while doing so it will be open for the petitioners to raise all such grounds which are available to them in the present set of writ applications.



13. In the totality of the circumstance, this Court agrees with the views expressed by Mr. P.K. Shahi, learned Senior Advocate for the Commission as well as the learned counsel for the State who are representing the State in the different writ applications.

14. These writ applications are, therefore, being disposed of keeping reserved the rights and contentions of the petitioners in the present writ applications and leaving it open to them to move this Court afresh as and when they are advised in accordance with law.

15. These writ applications are disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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