

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10906 of 2015

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Brajendra Prasad Rai S/o Late Suraj Rai, Resident of village- Moharihan,
Post- Khocharihan, P.S.- Dhansoi, District- Buxar.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors null null
2. The District Education Officer, Buxar.
3. The Director, Primary Education, Bihar at Patna.
4. Director, Research and Training, Department of Education, Govt. of Bihar,
Patna.
5. Principal, District Education nad Training Institution, Dumraon, Buxar.
6. Principal, DIET, Dumraon, District, Buxar.
7. Block Education Extension Office, Rajpur District, Buxar.
8. Krishna Bihari Singh S/o Ram Kripal Singh R/o village- Sujaitpur, P.S.-
Dhansoi, District- Buxar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Adv. Mr. Satyendra Pd. Singh, Adv.
For the Respondent/s	:	Mr. Uday Shankar Sharan Singh- Gp1

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL JUDGMENT

Date : 20-02-2023

1. The petitioner by way of this writ petition prays to direct the respondent authorities to appoint him as Coordinator on the ground that he possesses higher qualification in comparison to respondent no. 8.

2. Learned counsel submits that the petitioner was denied selection solely on the ground that he did not seek permission of the Department to acquire M.A. qualification,



whereas it is his case that he had applied for granting him permission to appear in the examination to the Block Education Extension Officer at the relevant time.

3. I have considered the submission. The reason having been put forward by the petitioner is not reflected from the selection of the respondent no. 8 on the post of Coordinator. On the other hand, the minutes of the Selection Committee placed on record as Agenda No. 3 reflects that the petitioner's case was considered along with that of the other candidate on the basis of their qualification of B.A. and B.Ed. and it was found that the other candidate respondent no. 8 was having higher percentage in B.Ed. and on the basis he was selected.

4. Element of selection is in exclusive domain of the selecting body. This Court would not interfere in such selection process provided it gives a chance of consideration to all who had applied. Having noticed that the petitioner's case was also considered by the selecting body and a decision was taken in favour of respondent no. 8, this Court would not intervene even if this Court has a view that someone else should have been selected in the place of respondent no. 8. It is only a decision making process which is a subject matter of judicial review and not the decision itself.



5. The writ petition is mis-concieved and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 32

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

