

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15797 of 2015

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1. Anjani Kumar son of Late Ram Krit Singh, resident of village and Post-Masarhi, P.S.- Gaurichak, District- Patna
 2. Sanjay Kumar son of Late Haribansh Singh, resident of village-Ramdaschak, Kath tola, P.O. and P.S.- Dighwara, District- Saran
 3. Kamlesh Kumar, son of Ram Charan Mahto, resident of Anup Lane, Machhua Toli, P.S. Kadam Kuan, District- Patna
 4. Satya Narayan Sharma son of Late Sita Ram Sharma, resident of Village-Kushar, Post- Madho Nijhma, P.S.- Mahua, District- Vaishali
 5. Ratendra Kumar Singh, son of Ram Saran Singh resident of vill.- Sardiha, P.O.- Sardiha, P.S.- Simri Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Department, Government of Bihar, Patna
3. The Secretary, Higher Education Department, Government of Bihar, Patna null null
4. The Director, Higher Education, Government of Bihar, Patna
5. Bihar Public Service Commission, through its Secretary, 15, Jawahar Lal Nehru Marg Beli Road, Patna
6. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, null 15, Jawahar Lal Nehru Marg Beli Road, Patna

... .. Respondent/s

Appearance :

For the Petitioner/s :

For the Respondent/s : Mr.Sandeep Kumar- GA 8

CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 23-02-2023 No one appears on behalf of the petitioners.

2. The petitioners have prayed as under :-

“That this writ application has been filed for issuance of appropriate writ, rule or direction to the respondent authorities to include the name of the petitioners and other similarly situated persons in the list of interview of first



phase, since they have qualified the Bihar Eligibility Test (BET) for lectureship, accredited by the UGC therefore, adding their name in the list of second phase by the commission for interview for appointment of lectureship, along with the candidates who have not qualified the NET or equivalent or not qualified Ph.D., M.Phil. According to UGC circular 2009, which is arbitrarily and mala fide, sine as per advertisement, the qualification of BET is comes under preview of examination for test accredited by UGC hence it is equivalent to NET or SET and this writ application is also for providing the marks as provided for NET qualified persons and this writ for grant of relief/reliefs as the petitioners are found entitled.”

3. The question is no more *res integra*.

4. The Division Bench of this Court in CWJC No.18016 of 2012, and connected with this writ petition, rejected the challenge to the provisions of the regulations, whereby the requirement of NET/SLET and Ph.D.,l in terms of the Minimum Standard and Procedure Regulation, 2009, was laid down as minimum qualification for appointment.

5. The views taken by the Division Bench has also been approved by the Hon’ble Supreme Court in the case of ***P. Susheela Vs. University Grants Commission & Ors reported in 2015 (8) SCC 129.***

6. Keeping in view thereof, no interference is required.



7. Accordingly, this writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

Chn/-
Item No.37

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