

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18269 of 2015

Manoj Kumar Son of Sri Naresh Prasad Singh Resident of Village-Bentara,
P.O. Fulwaria ,Via-Chauthan, District Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Road Construction Department , Govt. of Bihar Patna.
3. The Principal Secretary, Irrigation Department ,Govt. of Bihar Patna.
4. The Principal Secretary, Public Health Engineering Department ,Govt. of Bihar Patna.
5. The Bihar Public Service Commission, Patna through its Chairman.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajeev Kumar Singh, Advocate
For the Respondent/s	:	Mr.Madanjeet Kumar, GP-20
		Mr. Rajeev Ranjan, AC to GP-20
For the BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 05-10-2023 The present writ petition has been filed
seeking the following relief:-

“1. That this is an application for issuance of an appropriate writ(s), order(s) or direction(s) to consider and appoint the petitioner on the post of Assistant Engineer in Irrigation Department or Public Works Department or Public Health Engineering Department pursuant to Advertisement No. 2 of 2011 published by Bihar Public Service Commission.”



2. At the outset, the learned counsel for the respondent-Bihar Public Service Commission has submitted that the cut off marks in the category of the petitioner is 373, whereas the petitioner has obtained only 367 marks, hence he has not been selected, a fact which has not been refuted by the petitioner.

3. Having regard to the aforesaid aspect of the matter, this Court finds that the petitioner could not be selected inasmuch as he obtained less marks than the marks obtained by the last selected candidate, apart from the fact that the selection process has attained finality long back and thereafter, subsequent selection processes have also been initiated and concluded, thus nothing survives for consideration in the present writ petition, hence the same stands dismissed.

(Mohit Kumar Shah, J)

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