

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8148 of 2023

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Rakesh Kumar Raj S/o Mithilesh Prasad Resident of Village- Puruandpur,
P.O. and P.S.- Ekanagarsarai, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Transport Department, Vishveshwariya Bhawan, Bailey Road, Patna.
2. The Joint Secretary, Transport Department, Vishveshwariya Bhawan, Bailey Road, Patna.
3. The Bihar Public Service Commission, Bailey Road, Patna.
4. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.
5. The Joint Secretary-cum-Controller Examination, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Samir Kumar, Adv.
For the State	:	Ms. Bandana Singh AC to SC-21
For the BPSC	:	Mr. Kaushal Kumar Jha, Sr. Adv. with Mr. Amish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 21-08-2023 On mentioning slip being filed for priority listing, the matter has been listed today under the heading ‘To Be Mentioned’.

2. Heard learned counsel for the petitioner, learned counsel for the Bihar Public Service Commission (for brevity ‘Commission’) and learned counsel for the State.

3. The learned counsel for the petitioner submits that as per the self assessment, based on his educational qualifications, the petitioner has been awarded 81.02 marks for academics, the breakup of which is 8.22 being 10% of his tenth



Board marks, and 72.98 being the marks obtained by him in the Diploma. He submits that the 06 marks, which was awarded to him for Automobile Engineering, have not been added, though he has submitted his certificate showing degree in Automobile Engineering.

4. Learned counsel for the respondent-Commission, on the other hand, submits that from copy of the certificate annexed to the writ petition as Annexure-1, it appears that the degree is not of Automobile Engineering, but Mechanical Engg. (Automobile Engineering).

5. The learned counsel for the petitioner submits that the issue has already been raised before the respondent-Commission by representation (Annexure-9), which was received in the office of the respondent-Commission on 17.10.2022, and the issue requires consideration with reference to the degree /certificate submitted by him.

6. In view of the limited nature of grievance in today's proceedings and since the issue is yet to be considered by the respondent-Commission, pendency of the instant writ application would serve no useful purpose, as no adjudication is called for at the moment.

7. The writ application is, therefore, disposed of, but



with a direction to the Joint Secretary-cum-Controller Examination, BPSC, Bailey Road, Patna (Respondent No.5) to pass final orders on the petitioner's representation dated 17-10-2022 (Annexure-9) by a reasoned and speaking order, within a period of Eight (08) weeks from the date of receipt/production of a copy of this order.

(Madhuresh Prasad, J)

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