

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12426 of 2019

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Bikash Kumar Malviya Son of Sri nand Kishor Malviya, Resident of Infront of Kala Kendra near Lajpat Park, Deobar gate, P.s.- Adampur O.P., Dist.- Bhagalpur, Bihar.

... .. Petitioner

Versus

1. The State of Bihar Through The Principal Secretary, Education Department, Bihar, Patna.
2. The Chairman, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, (Bailey Road) Patna.
3. The Secretary, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, (Bailey Road), Patna.
4. The Joint Secretary cum Examination Controller, Bihar Public Service Commission, Patna.
5. The Hon'ble Chancellor, State Universities of Bihar, Raj Bhawan, Patna, Bihar.
6. The Member Secretary, University Grant Commission, New Delhi.
7. The Principal Secretary, ministry of Personnel, Public Grievances, Bihar, Patna.
8. The Union of India Through Department of Personnel, Public Grievances and Pensions, New Delhi.

... .. Respondents

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Appearance :

For the Petitioner	:	Mr.Alok Kumar Choudhary, Advocate Mr.Kulanand Jha, Advocate Ms.Priyanka Kumari, Advocate
For the State	:	Mr.Subhash Chandra Mishra, SC-16
For the UGC	:	Mr.Deepak Kumar, Advocate
For the BPSC	:	Mr.P.K. Shahi, Sr. Advocate Mr.Vikash Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 19-07-2023 Heard learned counsel for the parties.

2. This writ application has been filed seeking a writ

in the nature of mandamus commanding the respondents to

cancel the result declared by the Joint Secretary-cum-

Examination Controller, Bihar Public Service Commission,



Patna on 12.01.2019 for the appointment to the post of Assistant Professor in Commerce Department under different Universities and it's constituent colleges in the State of Bihar under Advertisement No. 73/2014.

3. Today, Mr. Alok Kumar Choudhary, learned counsel for the petitioner, while arguing the matter, informs this Court that by virtue of the result published, the entire selection process is over, however, he is not aware of the persons who have been appointed pursuant to the selection process under advertisement in question. They are not even parties to the writ application.

4. Learned counsel for the State submits that the petitioner who belongs to the unreserved category could not be selected because he had secured 72.80 marks which is less than the cut-off marks-74.70 of his reservation category. It is also submitted that the recommendation of the successful candidates under the advertisement has been sent to the department concerned vide Commission's Letter No. 345 dated 13.02.2019.

5. A counter affidavit has also been filed on behalf of the University Grants Commission (in short the "UGC") in which the eligibility conditions for direct recruitment in different disciplines have been dealt with.



6. Having regard to the fact that the result was published in the year 2019 and pursuant to the said result the BPSC has already recommended the successful candidates for appointment and the selection process is over and those candidates are not before this Court and no application has been filed to make them respondents, in the opinion of this Court, this Writ Application, as framed, cannot proceed at this stage.

7. This Writ Application is being disposed of as having become infructuous.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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