

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12143 of 2022

1. Ragini Kumari daughter of Amlesh Kumar Village Dharmpur P.S. Sakurabad District Jehanabad.
2. Vikram Kumar Paswan Village Kamat, P.S. Madanpur, District Aurangabad.

... .. Petitioner/s

Versus

1. The Chairman, the Bihar Staff Selection Commission Govt of Bihar, Veterinary College, Patna.
2. The Secretary Bihar Staff Selection Commission Govt. of Bihar, Veterinary College Patna.
3. The State of Bihar through Additional Chief Secretary, General Administration Department, Govt. of Bihar, Patna.
4. The Additional Chief Secretary, General Administration Department, Govt. of Bihar, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Rajesh Dayal
For the Respondent/s : Mr.Manish Kumar (Gp4)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 03-02-2023 This writ application has been filed for following reliefs:

1) For issuance of writ in the nature of Mandamus or any other appropriate writ for holding that under the Advertisement no. 06060114, Petitioners appeared in the P.T exam and Written Exam, may be selected and allowed joining provisionally and subject to outcome of the criminal trial. Although petitioners selection has been kept pending due to, bio-metric mismatch by the respondent no. 2.

2) And for any other relief(s) for which the Petitioner may be found entitled to in facts and circumstances of the present case.

It is submitted on behalf of the petitioner that this case



is squarely covered by a coordinate bench decision of this court in CWJC No. 2548 of 2022 passed on 06.07.2022.

It is submitted that the other candidates who were allegedly having a bio-metric mismatch, have been provisionally selected. Whereas in case of the petitioners, the respondents are taking a discriminatory stand that they would only be selected once their issue of bio-metric mismatch is concluded in the criminal trial.

Learned counsel for the state does not dispute the contention and submits that the similar reliefs may be granted to the petitioners.

Considering the submissions made on behalf of petitioners, this writ petition stands disposed of.

Petitioners are thus entitled to be treated similarly and be provisionally recommended, subject to result of the criminal case. The authorities should issue orders in favor of the petitioners, similar to order dated 27.06.2022, issued in respect of the other two candidates, provisionally recommending the petitioners.

(Prabhat Kumar Singh, J)

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