

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11400 of 2023

1. Shailendra Prasad Singh Son of Late Baleshwar Prasad Singh Resident of Village-Mohanpur, P.O.-Beshawak, P.S.-Islampur, Distirct-Nalanda.
2. Manoj Kumar Thakur Son of Late Ram Pratap Thakur Resident of Village-Harari Dularpur Via Sursand, P.O.-Harari Dularpur, District-Sitamarhi.
3. Shambhunath Jha Son of Late Lakshamikant Jha, Resident of Village-Alampur, Ward No.-11, P.O.-Alampur, Mahthi Tola, Distirct-Samastipur.
4. Nawin Kumar Thakur Son of Lal Bahadur Thakur Resident of Village-Patar, P.O.-Taraiya, P.S. Saharghat, District-Madhubani.

... .. Petitioners

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Bihar Public Service Commision, through its Chairman, Jawaharlal Nehru Marg, Bailey Road, Patna.
6. The Chairman, Bihar Public Service Commission, Bihar, Patna.
7. The Secretary, Bihar Public Service Commission, Bihar, Patna.
8. The Joint Secretary-Cum-Examination Controller, Bihar Public Service Commission, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Jagjit Roshan, Advocate
For the State	:	Mr. Subhash Chandra Mishra, SC- 16
For the BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-08-2023 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar Public Service Commission (hereinafter referred to as the 'BPSC').

2. The petitioners in the present case are seeking a writ in the nature of Writ of Mandamus directing the respondents to grant age relaxation to the petitioners. The



petitioner no. 1 has completed his Central Teacher Eligibility Test (CTET) in the year 2022, the petitioner no. 2 has completed his Bihar Elementary Teacher (Trained) Eligibility Test (BETET) in the year 2017, the petitioner no. 3 has completed his B.Ed. in the year 2020 and the petitioner no. 4 has completed his CTET in the year 2015. Their common ground is that the BPSC has granted age relaxation to the candidates who have passed Secondary Teachers Eligibility Test (in short 'STET') in the year 2019 and there is no reason why such relaxation be not granted to the petitioners.

3. Attention of this Court has been drawn towards the order dated 19.07.2023 passed by this Court in CWJC No. 9640 of 2023 wherein this Court had directed the BPSC to allow the petitioners of the said writ application to participate in the selection process subject to result of the writ application.

4. Learned counsel for the BPSC submits that so far as these petitioners are concerned, they have approached this Court much after the last date for filling up the application form. The advertisement in question was issued on 30th May, 2023 and the last date for filling up the application form expired on 22nd July, 2023.

5. It is further informed that now the examination is



fixed on 24th August, 2023, therefore, under these circumstances it would be very difficult for the BPSC to once again entertain the application of the petitioners.

6. Having heard learned counsel for the petitioners and learned counsel for the BPSC as also learned counsel for the State and upon finding that this writ application has been filed on 10.08.2023 i.e. much after the last date of filling up of the application form and at this stage, the examination is fixed from 24th August, 2023 itself, this Court is not inclined to entertain the present writ application.

7. This writ application stands dismissed accordingly.

(Rajeev Ranjan Prasad, J)

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