

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No. 18524 of 2022**

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Rishi Bhushan Son of Binod Kumar Sinha, Resident of Village- Bhikanpur,  
Near Maa Shyama Studio, P.S.- Tilaka Manjhi, District- Bhagalpur.

... .. Petitioner

Versus

1. The State of Bihar through the Additional Chief Secretary, Health Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Patna.
3. The Secretary, Health Department, Government of Bihar, Patna.
4. Bihar Technical Service Commission, 19, Harding Road, Patna through its Chairman.
5. The Chairman, Bihar Technical Service Commission, 19, Harding Road, Patna.
6. The Deputy Secretary, Bihar Technical Service Commission, Patna.

... .. Respondents

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**Appearance :**

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|----------------------|---|----------------------------------------------------------------|
| For the Petitioner/s | : | Ms.Nivedita Nirvikar, Sr. Advocate<br>Mr.Kriti Suman, Advocate |
| For the Respondent/s | : | Mr.Mujtabaul Haque ( GP-12 )<br>Mr.Vasant Vikas, AC to GP-12   |
| For the B.T.S.C      | : | Mr. Nikesh Kumar, Advocate                                     |

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

4      23-03-2023                      Reference may be made to the order dated 13.03.2023  
and the order dated 20.03.2023 passed in CWJC No. 419/2023. This  
case was heard along with the said matter on the earlier dates.

Today, Ms. Nivedita Nirvikar, learned senior counsel for  
the petitioner submits that in view of the pendency of CWJC No.  
741/2023 filed by some of the candidates including the present  
petitioner, she seeks permission to withdraw this application with  
liberty to pursue her remedy in CWJC No. 741/2023.

Since CWJC No. 741/2023 was filed earlier in time and  
the present writ application contains identical reliefs but filed later on



with an averment that the petitioner has not filed any other writ application on earlier occasion, this Court permits the petitioner to withdraw this application.

At one stage, this Court was of the opinion that the writ petition is required to be dismissed with cost but considering that the petitioner is an unemployed person and he has explained to this Court that in absence of proper information from his erstwhile counsel, he was not sure whether the writ application had been filed on his behalf or not, he had got this second writ application filed through another lawyer, this Court is not imposing any cost.

The writ application is dismissed as withdrawn with liberty as prayed for.

**(Rajeev Ranjan Prasad, J)**

tusharika/-

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