

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17516 of 2022

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Deepak Kumar Sinha alias Deepak Kumar S/o Late Bharat Prasad Sinha,
Permanent Resident of Subhash Nagar Road No.-05, P.S.-Sadar-B,
Bhagwanpur, District-Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

1. Bihar State University Service Commission 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna, Bihar-800001.
2. The Chairman Bihar State University Service Commission, 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna, Bihar-800001.
3. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna, Bihar-800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Divyam Verma, Adv.
For the Respondent/s : Mr.Pawan Kumar Choudhary

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 02-01-2023 Heard the parties.

The petitioner assails the action of the respondents in not calling him for interview and also challenges the order of University in declaring the petitioner ineligible stating that the petitioner had submitted his documents and hard copy by sending them through speed post on 29.12.2020. However, the candidature has been rejected wrongfully.

I have considered the submissions.

While the petitioner has mentioned about having sent the hard copy on 29.12.2020, by speed post, he has not been



able to prove that the speed post was duly received by the respondent-Commission before 30th of December, 2020. In the absence of any such documentary evidence on record, this Court can not conclude on the aspects whether the application has been received or not before the cut-off date.

In view of specific averments in the order dated 18.11.2022 issued by the Commission, a presumption has to be drawn that the hard copy of the application was not received in the office of the Commission and he was therefore rightly declared ineligible.

In view thereof, the writ petition is wholly misconceived and is dismissed.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 14

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