

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3121 of 2018

Prabha Priya Wife of Sanjeev Kumar, Resident of Plot No. 29, Road No. 25,
Shree Krishna Nagar, P.S. Budha Colony, Exhibition Road, Patna- 01.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Agriculture Department, Government of Bihar, Patna.
3. The Director, Agriculture, Agriculture Department, Govt. of Bihar, Patna.
4. Bihar Staff Selection Commission through its Secretary, Veterinary College Campus, Patna- 14.
5. The Chairman, Bihar Staff Selection Commission, Veterinary College Campus, Patna- 14.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Dr. Om Prakash Om, Adv.
For the State	:	Mr. Jay Prakash Sharma, (AC to Ex GP-21)
For the BSSC	:	Mr. Gyan Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 28-11-2023 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar Staff Selection Commission.

2. The present writ petition has been filed for directing the respondent to consider the case of the petitioner and appoint her on the post of “Agriculture Co-ordinator” on the basis of her selection by virtue of her degree i.e. Bachelor of Science/Arts/Commerce examination (3 years course) Honours in Industrial Fish and Fisheries.

3. Learned counsel for the petitioner submits that in



the light of the advertisement, the petitioner has participated in the selection process and the form of the petitioner was accepted and thereafter, admit card was issued followed by counseling and then final result in which name of the petitioner was figured. Counsel also submits that some of the candidates who were not selected have filed bunch of writ petitions before this Hon'ble Court which was disposed of vide order dated 30.05.2017 passed in CWJC No. 13658 of 2016 annexed as Annexure-8 and thereafter, the earlier result was not acted upon and in the light of the order passed by this Hon'ble Court, fresh combined selection list was published and the selection list which was published after order passed by this Hon'ble Court, the petitioner's name has not figured in the successful candidate.

4. Learned counsel for the petitioner further submits that online objection was demanded and the petitioner participated in the objection and even then her case was not taken into consideration. Counsel also submits that if no writ petitions were filed then the petitioner continued in the service. Counsel further submits that in the advertisement, the eligibility as mentioned was graduate in different subjects including fisheries.

5. Learned counsel for the petitioner submits that the



petitioner was graduate in Industrial Fish and Fisheries which is same as like that of graduate in Fisheries and therefore, her case has to be taken into consideration.

6. Learned counsel for the Bihar Staff Selection Commission on the other hand submits that the earlier result in which the petitioner was declared successful could not acted upon as in the light of Hon'ble Court's order, fresh scrutiny has been made and the objection was also demanded including from the petitioner and it has come that the petitioner had no basic eligibility and her result is not Graduate in Fisheries.

7. In this regard, the counsel for the petitioner relied on Annexure-R/B (vide Memo No. 546 dated 07.06.2017) i.e. a report of Agriculture Director, Bihar, Patna who has categorically given his expert opinion that the course of Vocational Industrial Fish and Fisheries cannot be treated equivalent to the Bachelor in Fisheries.

8. In this view of the matter that expert opinion is before this Court, this Court is not inclined to interfere in this writ petition and hence, this writ petition is hereby dismissed.

(Dr. Anshuman, J.)

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