

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.997 of 2019

=====

Rakesh Kumar, Son of Sri Laxman Prasad Resident of Opposite New Bus Stand, Ramchandrapur, Biharsharif, P.S. Laheri, District- Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Principal Secretary, General Administration Department, Govt. of Bihar, Old Secretariat, Patna.
3. The Principal Secretary, Finance Department, Govt. of Bihar, Old Secretariat, Patna.
4. The Bihar Public Service Commission through its Chairman Bailey Road, Patna through its Chairman.
5. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.
6. The Officer on Special Duty, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Bipin Bihari Singh, Adv.
For the State	:	Mr. Manish Kumar, Adv.
For BPSC	:	None

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 06-02-2024 Learned counsel for the petitioner and learned counsel for the State present. But, no one appears on behalf of Bihar Public Service Commission.

2. The present writ petition has been filed for reversing the marks allotted for interview against the advertisement no. 03/2015 published on 05.02.2015 (annexed as Annexure-1) for Account Officer as the allotment of such marks contrary to Bihar Account Service amended Rules 2012 and subsequent prayer regarding issuance of an appropriate writ



directing the concerned authority to reverse or delete the marks allotted/allocated against the interview commenced and consequently, the authority follow the process required under statute for 150 marks interview instead of 300 marks and on the basis of the same, final merit list is requested to be published with respect to appointment.

3. Learned counsel for the petitioner submits that in the statute, the maximum marks for interview is prescribed as 150 marks, whereas, the Bihar Public Service Commission has published the result showing 300 marks for interview. Counsel further submits that it is a gross violation of the statute.

4. Upon specific query of the Court that whether representation in this regard has been filed by the petitioner before the Bihar Public Service Commission or not, counsel for the petitioner submits that no such representation is present in the writ petition.

5. As such, this Court has no option but to dispose off the writ petition directing the petitioner to file the representation afresh before the Bihar Public Service Commission showing the discrepancy and Bihar Public Service Commission is directed to pass a reasoned and speaking order on the representation filed by the petitioner within 90 days. Thereafter, the petitioner shall



be at liberty to challenge the same before appropriate forum.

6. With the aforesaid observations and directions, this writ petition is hereby disposed off.

(Dr. Anshuman, J.)

Divyansh/-

U			
---	--	--	--

