

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6468 of 2024

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Pankaj Kumar Son of Suden Mandal, Resident of Village/Mohalla and P.O.-
Bakiya Diyara, P.S. and Block- Barari, District Katihar, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, General Administration Department, Govt. of Bihar, Patna.
4. The Additional Chief Secretary, Health Department, Govt. of Bihar, Patna.
5. Bihar Public Service Commission through its Secretary, Bailey Road, Patna.
6. The Secretary, Bihar Public Service Commission, Bailey Road, Patna.
7. The Chairman, Bihar Public Service Commission, Bailey Road, Patna.
8. The Examination Controller, Bihar Public Service Commission, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mrs.Vijaya Laxmi Srivastwa, Adv. Mr.Muskan Singh, Adv.
For the Respondent/s	:	Mr.Jitendra Kumar, AC to Ex. AAG-11
For the BPSC	:	Mr.Sanjay Pandey, Adv. Mr.Kameshwar Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-04-2024 1. The present writ petition has been filed seeking the
following relief(s):-

“1. For quashing of the advertisement no. 9/2022 issued by examination Controller, Bihar Public Service Commission, Patna as contained in Annexure- 7 by which 55 posts has been advertised for appointment of Drug Inspector consisting 27 General category, consisting 7 for lady general category, 35% horizontal reservation, 6 consisting to general category



lady, Schedule caste 8 consisting 4, 35% horizontal reservation, Schedule Tribe-0, Economically backward class 5 consisting to 35% horizontal reservation, BC(F) 7 consisting 2 total 55 with specific direction reservation will be also given to the handicapped total 2 vacancy @4% of total advertised posts and granddaughter, grandson for freedom fighter pension granted by Central Government as per letter no. 2520 dated 18.02.2016 issued by General Administration Department, Govt. of Bihar, Patna in the pay Band of 34800/- Grade, Pay 5400/-, Level-9.

ii. To hold and declare break up of vacancy for appointment to the 55 Drug Inspector against Advertisement No. 9/2022 is in conflict of Bihar Reservation of vacancies in Posts and Services (For Scheduled Castes, Scheduled Tribes and Other Backward Classes) Act, 1991 read with backlog vacancy 9 for Schedule Caste and 1 for Schedule Tribe total comes 15 vacancy in the breakup of 1+3 backlog vacancy total 1+3 backlog vacancy for Schedule Tribe, 9+6 total 15 and Schedule Tribe 1+3 backlog total 4.

iii. Commanding the alternative prayer of the petitioner to amend Advertisement No. 9/2022 to the extent the respondents to give 9 in place of 8 backlog vacancy for Schedule Caste out of 55 posts and 6 backlog vacancy of Advertisement No. 7/2008, 15 out of 55 advertised post of ST



and 3 backlog vacancy of Schedule Tribe against advertisement no. 7/2008 after considering the fact the Advertisement No. 7/2008 for 6 for Schedule caste and 3 for Schedule Tribe and 1+3 backlog for post of Schedule Tribe against advertisement no. 9/2022 total 35 vacancy.”

2. At the outset, the learned counsel for the petitioner seeks liberty on behalf of the petitioner to approach the Secretary, Bihar Public Service Commission, Patna, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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