

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9848 of 2022

=====

Md. Gholam Jilani @ Mohammad Golam Jilani Son of Md. Nasiruddin @ Mohammad Nasiruddin Resident of Mohalla- New Karimganj, P.S.- Civil Line, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, New Secretariat, Patna.
3. The Bihar Staff Selection Commission through its Secretary Veterinary college Campus, Patna.
4. The Secretary, Bihar Staff Selection Commission, Veterinary College Campus, Patna.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Md. Fahimuddin, Advocate
For the Respondent/s : Mr. Prabhakar Jha, (Gp27)

=====

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 26-07-2024

Heard Mr. Fahimuddin, learned counsel for the petitioner,
and Mr. Prabhakar Jha, learned counsel for the State.

2. By means of this writ petition, the petitioner is seeking a direction to the Secretary of the Bihar Staff Selection Commission, Patna (hereinafter, referred to as “the Commission”) to hold counseling and appoint the petitioner on the post of Assistant Primary Teacher in Urdu subject, pursuant to advertisement no. 210/2010, issued by the Commission by contending that though, the counseling was scheduled for 23.02.2022, the petitioner could not appear because he was unaware of the date fixed for the counseling as due to his poor financial condition, he was unable to purchase the newspaper or to keep himself updated from the Commission’s website regarding the date fixed for the counseling.

3. Respondent nos. 3 and 4 – Bihar Staff Selection Commission has filed a counter affidavit, wherein, in paragraph no. 10 it has been stated that counseling, pursuant to advertisement no. 210/2010, was held on



23.02.2022 as per the date fixed by the Commission which was published in the newspaper as well as on the website of the Commission. In paragraph no. 11 of the counter affidavit, it has also been mentioned that in a similar nature of case filed by one Kiran Bala bearing C.W.J.C. No. 81 of 2023 has been dismissed by this Court vide order dated 13.01.2023.

4. In view of the averments made by the respondent nos. 3 and 4 in the counter affidavit that the date fixed for counseling on 23.02.2022 was published in the newspaper as well as on the website of the Commission, the direction sought for by the petitioner cannot be given in the instant case, inasmuch as, the date fixed for counseling of the petitioner along with others was fixed for 23.02.2022 which was duly notified in the newspaper as well as on the Commission’s website.

5. Accordingly, the writ petition is dismissed, being devoid of merit.

(Nani Tagia, J)

Siddharth Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	29.07.2024
Transmission Date	NA

