

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10806 of 2024

1. Amit Kumar Yadav Son of Krishna Yadav, Resident of Village- Phulwariya, P.O.- Shahadatpur, P.S.- Lauriya, District- West Champaran (Bihar).
2. Jitendra Yadav, Son of Rameshwar Prasad Yadav, Resident of Village- Ahirauliya, P.O.- Ahirauliya, P.S.- Ramgarhwa, District- East Champaran (Bihar).
3. Sunil Kumar, Son of Yogendra Prasad, Resident of Village- Shankar Saraiya, P.O.- Shankar Saraiya, P.S.- Tarkauliya, District- East Champaran (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
2. The Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
3. The Director (Employment and Training), Labour Resources Department, Government of Bihar, Patna.
4. The Bihar Technical Service Commission, through its Chairman, 19, Harding Road, Patna.
5. The Chairman, Bihar Technical Service Commission, 19, Harding Road, Patna.
6. The Joint Secretary, Bihar Technical Service Commission, 19, Harding Road, Patna.
7. The Deputy Secretary, Bihar Technical Service Commission, 19, Harding Road, Patna.
8. The Officer on Special Deputy, Bihar Technical Service Commission, 19, Harding Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Nityanand Mishra, Advocate Mr. Alok Abhinav, Advocate
For the State	:	Mr. Rajeev Shekhar, AC to GA-13
For the B.T.S.C.	:	Mr. Nikesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 22-07-2024 Heard Mr. Nityanand Mishra, learned counsel

 appearing on behalf of the petitioners; Mr. Rajeev Shekhar,

 learned AC to GA-13 appearing on behalf of the State and Mr.

 Nikesh Kumar, learned counsel for the Bihar Technical Service



Commission.

2. The petitioners in paragraph no. 1 of the present writ petition have sought *inter alia* following relief(s), which is reproduced hereinafter:

"(i) For issuance of writ/writs in the nature of mandamus directing/ commanding the respondent nos. 4 to 8 i.e. Bihar Technical Service Commission, Patna (hereinafter referred as BTSC) to consider the objections of the petitioners against wrong/incorrect Answer Key of Question No. 2, 11, 19, 47 & 72 in Written Test for the selection/appointment to the post of 'Trade Instructor-Welder' (hereinafter referred as Welder) through Advertisement No. 17/2023 published by BTSC dated 28.06.2023.

(ii) For issuance of writ/writs in the nature of mandamus directing/commanding the Respondents to issue fresh results after re-scrutiny of the marks of the petitioners as per the Cut-off mentioned in Advertisement No. 17/2023 dated 28.06.2023.

(iii) For issuance of writ/writs in the nature of certiorari to quash and set aside the list of selected candidates for the 'Document Verification' (Annexure- P/7) which was published by the BTSC through Letter No. 1515 dated 10.07.2024 under Advertisement No. 17/2023 without considering the objections upon the wrong/incorrect Answer Key by the petitioners.

(iv) Further for grant of 5 marks to the petitioners against wrong/incorrect Answer Key of Question Nos. 2, 11, 19, 47 & 72 as the petitioners have attempted the answers of the objected questions i.e. Question Nos. 2, 11, 19, 47 & 72.

(v) For postponing the selection/appointment to the post of 'Welder' through Advertisement No. 17/2023 dated 28.06.2023 for a while till revaluation of marks of the Written Test held on 16.09.2023 under the regular appointment to the post of Trade Instructor (Welder).

(vi) Further for directions to the Respondents to stay/not to make any selection/appointment to the post of 'Welder' through Advertisement No. 17/2023 dated 28.06.2023 (Annexure-P/1) till the fresh/re-scrutiny of candidates on the basis of prescribed Cut-Off marks.

(vii) For direction to the respondents for any other relief/reliefs for which the petitioners are entitled to in accordance with law."

3. Learned counsel appearing on behalf of the petitioners has raised objection in respect of Answer Key of Question Nos. 2, 11, 19, 47 and 72 of written test for



selection/appointment to the post of 'Trade Instructor-Welder' pursuant to the Advertisement No. 17/2023 published by the Bihar Technical Service Commission.

4. Learned counsel appearing on behalf of the Bihar Technical Service Commission submits that the up-to-date action taken by the Commission will be communicated to the petitioners soon and he informs that he has already informed the Secretary of the Bihar Technical Service Commission to dispose of the grievance of the petitioner.

5. Considering the information given by learned counsel for the Bihar Technical Service Commission, I find that the required information must be communicated to the petitioners within two weeks, as already learned counsel has informed the Secretary in this regard.

6. The petitioners may take steps to meet the Secretary, Bihar Technical Service Commission, in case of any delay.

7. With the above observation/direction, the present writ petition is disposed of.

(Purnendu Singh, J)

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