

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11302 of 2024

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Vikash Kumar, Son of Raj Kumar Ram, Resident of Mohalla- Hasanpura,
P.O.- Sugauli, P.S.- Sugauli, District- East Champaran (Motihari), Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Bihar Public Service Commission, through its Chairman, 15, Bailey Road, Patna.
3. The Chairperson, Bihar Public Service Commission, 15, Bailey Road, Patna.
4. The Secretary, Bihar Public Service Commission, 15, Bailey Road, Patna.
5. The Examination Controller, Bihar Public Service Commission, 15, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate.
For the Respondent/s : Standing Counsel-3.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 30-07-2024 Heard Mr. Deepak Kumar, learned counsel

appearing on behalf of the petitioner and learned SC-3 for the

State.

2. The petitioner has sought for the following reliefs

as prayed for in Para-1 of the writ petition, which are inter alia

reproduced hereinafter:

*“A. For issuing the writ of Mandamus and
such other writ in the nature of mandamus directing
the Respondent authorities to immediately make
arrangements for re-evaluation of the answer sheet
of Journalism paper of the petitioner who appeared
in Assistant Director-cum-District Public Relation
Officer Competitive Examination (Advt. No.
02/2021) conducted by Bihar Public Service
Commission, Patna in which the petitioner who
belong to SC category having Roll No. 202680 and
Registration No. 202102000124 and after final*



result merit list was prepared in which cut off marks for SC category was 399 and the petitioner obtained 397 marks all because of mal practice during evaluating the answer sheet of Journalism paper of the petitioner.

B. For commanding and directions be given to Respondent authorities to immediately investigate the matter with the help of hand writing expert how this kind of mal practice was done during evaluating the answer sheet of Journalism paper and after such inquiry further correction be done in the marks of Journalism paper of the petitioner who appeared in Assistant Director cum District Public Relation Officer Competitive Examination (Advt. No.02/2021) conducted by Bihar Public Service Commission, Patna.

C. For issuing a writ of mandamus or any other appropriate writ inter alia directing the Respondent no.04 and 05 not to harass the petitioner and formalities necessary to ensure re-evaluation may be completed within two weeks from the date of disposal of the present petition.

D. For issuing further direction to Respondent No. 04 & 05 to immediately include the name of the petitioner in finally prepared Merit List after re evaluation of the Journalism paper and if the total aggregate marks comes to 399 after the re-evaluation.

E. For issuing further direction to Respondent No. 04 & 05 to compensate the damages caused due to the mal practice during evaluating the answer sheet of the petitioner and putting the career and future of the petitioner in jeopardy to the tune of Rs.10,000,00 along with litigation cost.

F. And also for any other relief or reliefs for which the petitioner is found entitled in the eye of law.”

3. Learned counsel appearing on behalf of the petitioner informs that the petitioner has filed representation before the Chairman, Bihar Public Service Commission – respondent no.3 to consider his case in light of the Recruitment Rules for the post of Assistant Director cum District Public Relation Officer for which examination was held after calling



for application vide Advertisement No. 02/2021. Learned counsel further submits that the order dated 12.03.2024 passed in C.W.J.C. No. 14828 of 2023 (Ashish Ranjan Vs. The State of Bihar) is not applicable in his case considering the fact that aforesaid order is in respect of Bihar Judicial Service (Junior Division) examination wherein the relevant Rules don't provide for re-evaluation of the answer sheet and there is no information in respect of recruitment Rules relating to the recruitment of District Public Relation Officer.

4. Considering the aforesaid submission made on behalf of the petitioner, the Secretary, Bihar Public Service Commission, Patna must consider the representation of the petitioner in light of the recruitment Rules applicable in the case of recruitment of the District Public Relation Officer.

5. The writ petition, accordingly, stands disposed of.

(Purnendu Singh, J)

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