

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3735 of 2017

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Krishan Dev Sah S/o Ramdev Sah, Resident of Village- Bhutahi, P.O.- Bhutahi, P.S. Sonbarsha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Education Department, Govt. of Bihar, Patna
2. The Director, Secondary Education, Education Department, Govt. of Bihar, Patna.
3. The Secretary, Bihar Staff Selection Commission, Bihar, Patna.
4. The Chairman, Bihar Staff Selection Commission, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar
For the Respondent/s : Mr.Ashutosh Ranjan Pandey-Aag15

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 24-06-2024 1. The petitioner is aggrieved by his non selection on the post of Assistant Teacher (Sanskrit) by the respondent / Bihar Staff Selection Commission.

2. Learned counsel for the petitioner submits that Advertisement No. 2 of 1991 was issued for appointment on the post of Assistant Teacher in Sanskrit Subject by the School Service Board, Bihar, Patna. The petitioner applied for the aforesaid post and acquired the Degree of Acharya on 04.09.1991. The aforesaid Advertisement No. 2 of 1991 was the subject matter of C.W.J.C. No. 8755 of 2001 and the matter travelled up to the Hon'ble Supreme Court. Pursuant to the direction passed by the Hon'ble High Court recruitment process



started in the year 2016. The petitioner appeared before the Interview Board but was declared not eligible vide Annexure-4R(2) of the counter affidavit filed by the respondent / Bihar Staff Selection Commission.

3. No one appear for the Bihar Staff Selection Commission.

4. However, learned counsel for the State submits that as per the advertisement the qualification for the advertised post was Acharya (in the subject of Sahitya or Vyakaran) or Master of Arts / Honours in Sanskrit with training. The qualification was to be acquired by the candidate on or before the last date of submission of application form which was 05.03.1991. The petitioner was not having the degree of Acharya as on the last date of submission of application form. He obtained the degree of Acharya on 04.09.1991. Accordingly, he was rightly not declared eligible by the Selection Committee inasmuch the petitioner acquired the eligibility for the post after submission of application form.

5. I have heard learned counsel for the parties. It is not disputed that as per the terms of the Advertisement, the qualification for the post was to be acquired on or before the last date of submission of application form and the candidate was required to submit the application form along with all



academic certificates as on 05.03.1991. The terms of the advertisement has to be read strictly and as per the terms and conditions of the advertisement the petitioner was not having the requisite qualification as on the last date of submission of application form.

6. Accordingly, I do not find any illegality in the process of selection and the Interview Board has rightly declared the petitioner ineligible for the post. This writ application having no merit is accordingly dismissed.

(Anil Kumar Sinha, J)

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