

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14636 of 2023

1. SC/ST Employees Association Bihar through Devendra Rajak, aged about 70 years, Male, Son of Late Chhotan Rajak, Resident of Village- Housing Colony, Bahadurpur, P.S.- Bahadurpur, District- Patna, at present General Secretary, SC/ST Employee Association, Ambedkar Bhawan, Daroga Prasad Rai Path, Patna.
2. Santosh Kumar, Son of Sudarshan Paswan Resident of Village- Bahera, P.S.- Kudra, District- Kaimur.
3. Binay Kumar, Son of Kapil Deo Ram Resident of Village- Bisnupura, P.S.- Ishuapur, District- Saran.
4. Bhisham Kumar, Son of Bhola Paswan Resident of Village- Shobhipur, P.S.- Kochi, District- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. Additional Chief Secretary, General Administrative Department, Government of Bihar, Patna.
3. Bihar Staff Selection Commission, through Secretary, Veterinary College, District- Patna.
4. The Chairman, Bihar Staff Selection Commission, Veterinary College, District- Patna.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr.Dinu Kumar, Adv. Ms.Ritika Rani, Adv.
For the Respondent/s	:	Mr.P.K. Verma, AAG-3 Mrs.Divya Verma, AC to AAG-3
For the BSSC	:	Mr.Satyabir Bharti, Adv. Ms.Kanupriya, Adv. Mr.Abhishek Anand, Adv.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-03-2024 1. The present writ petition has been filed seeking the following relief(s):-

“1.i. For quashing the part of the advertisement no.1/22 issued under the signature of Secretary, Bihar Staff Selection Commission, Veterinary College, District-Patna, respondent no.3 on



06/06/23 for the Third Graduate Level Combined (Chief) Competitive Examination-2022 as contained in Annexure-7, by which breakup of 201 candidates in place of 225 posts of the Schedule Caste out of the total advertised 1360 post for the Secretariat Assistant as per the roaster.

ii. To hold and declare advertisement no.1/22 issued under the signature of Secretary, Bihar Staff Selection Commission, Veterinary College, District-Patna, respondent no.3 as contained in Annexure-7 is in conflict with the order dated 22/11/21 in SLP (Civil) No.18294/2021 on the point that advertisement no.1/22 as contained in Annexure-7 does not stipulate the appointment made will be subject to the outcome of the afore-noted case with respect to caste Tanti/Tatwa as it recognized as Schedule Caste category as per Gazette notification dated 02/07/2015, prior to 02/07/15 caste Tanti/Tatwa was under EBC category in the State of Bihar.

iii. For commanding the respondents to provide the appropriate number of Schedule Caste candidates especially to the post of Secretariat Assistant against advertisement no.1/22 issued under the signature of Secretary, Bihar Staff Selection Commission, Veterinary College, District-Patna, respondent no.3 as contained in Annexure- 7, in view of the roaster for Schedule Caste as per Section 6 of Bihar Reservation of Vacancies in Post and Services (For Scheduled Caste, Scheduled



Tribes and Other Backward Classes) Act, 1991.

iv. To hold and declare any appointment made during the pendency of writ petition to the post of Secretariat Assistant against the advertisement no.1/22 issued under the signature of Secretary, Bihar Staff Selection Commission, Veterinary College, District- Patna, respondent no.3 as contained in Annexure-7, is void, illegal and bad-in-law.

v. For commanding the respondents to add 24 more candidates in addition to 201 candidates in the category of Scheduled Caste against advertisement no.1/22 as contained in Annexure-7 considering the number of vacancies as per Bihar Reservation of Vacancies in Post and Services (For Scheduled Caste, Scheduled Tribes and Other Backward Classes) Act, 1991.”

2. At the outset, the learned counsel for the petitioners seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioners to approach the respondent-authorities for redressal of their aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands dismissed as not pressed.

(Mohit Kumar Shah, J)

sonal/-

U			
---	--	--	--

