

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12681 of 2023

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Shruti Jaisawal, aged about 38 years, Female, D/o Makhan Lal Jaisawal, W/o Dr. Sushant Kumar, R/O 98 Bhagvanpura, Doharighat, P.S.-Ghoshi, Distt-Mau (U.P.) at present residing at Vill-Gaura, P.O. B. Kalyan via Karnaul, P.S.-Sahebganj, Distt – Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Director Secondary Education, Government of Bihar, Patna.
3. The Bihar State University Service Commission through its Chairman, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
4. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.
5. The Secretary, Bihar State University Service Commission, 8th Floor, Bihar School Examination Board Academic Building, Budh Marg, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Chandra Shekhar Singh, Advocate
For the State	:	Smt. Binita Singh, SC-28
For the B.S.U.S.C.	:	Mr. Harsh Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 11-09-2024

Heard learned counsel for the parties.

2. The petitioner has applied for the post of Assistant Professor (Geography) in terms of Advertisement dated 21.09.2020 issued by the Bihar State University Service Commission (hereinafter referred to as “the Commission”) for the seat reserved for Backward Class. The candidature of the petitioner for the seat reserved for Backward Class was rejected by the Commission on the ground that the petitioner is from the



State of Uttar Pradesh and has failed to submit domicile certificate stating that she is permanent resident of the State of Bihar.

3. The petitioner is not aggrieved by the rejection of her candidature by the Commission for the seat reserved for the Backward Class on the ground stated by the Commission. The petitioner, however, now has filed this writ petition contending that her candidature for the post of Assistant Professor (Geography) may now be considered under General Category.

4. The Commission has filed a counter affidavit, wherein it has been stated that the online application fees for the General candidate is Rs. 300/- (Rupees Three Hundred) and for the Backward Class candidate the online application fees Rs. 75/- (Rupees Seventy Five). Since, the petitioner has applied for the seat reserved for Backward Class and has deposited online fees of Rs. 75/- only, the candidature of the petitioner could not have been accepted by the Commission under General Category for want of payment of requisite online fee.

5. Since, the petitioner has accepted to participate in the recruitment process as a General candidate, which the petitioner appears to be, and also having taken note of the submission made by the learned counsel for the parties that the



interview for the post of Assistant Professor (Geography) in terms of Advertisement dated 21.09.2020 has not yet been fixed, I deem it appropriate to allow this writ petition by directing the Commission to allow the petitioner to participate in the interview for the post of Assistant Professor (Geography) pursuant to the Advertisement dated 21.09.2020 on payment of Rs. 300/- (Rupees Three Hundred) as online application fee, subject to the petitioner meets the other eligibility criteria prescribed in the Advertisement as well as in the relevant recruitment Rules.

6. The writ petition is disposed off with the above directions.

(Nani Tagia, J)

Nilmani/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	11.09.2024
Transmission Date	N/A

