

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13388 of 2024

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Shailesh Kumar S/o-Parmanand Prasad R/o Vill.- Saidanpur, P.O. - Hilsa,
District - Nalanda (Roll No. 908122).

... .. Petitioner/s

Versus

1. The State of Bihar through its, Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Director, Higher Secondary Education, Govt. of Bihar, Patna.
3. The Joint Secretary-Cum-Examination Controller (TRE-1), Bihar Public Service Commission, Patna.
4. The Addl. Secretary, Education Department, Govt. of Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sita Ram Prasad, Advocate
For the Respondent/s	:	Mr. P.K. Shahi, Advocate General
For the B.P.S.C.	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 05-09-2024

Heard learned counsel for the parties.

2. This writ petition has been filed by the petitioner seeking a direction to the respondents to publish supplementary/revised merit list for the post of Higher Secondary School Teachers (Class XI-XII).

3. According to the petitioner, the B.P.S.C. had issued an advertisement No. 26/2023, inviting applications, inter-alia, for filling up the posts of Higher Secondary School Teacher in Zoology subject.

4. The advertisement provides that for appointment as Higher Secondary School Teacher in Zoology subject, the



candidate will have to secure a minimum cut-off marks of 44. It is the case of the petitioner himself that he could not secure the minimum cut-off marks provided by the B.P.S.C. in advertisement No. 26/2023 as the petitioner secured only 40 marks.

5. Learned counsel for the B.P.S.C. submits that after the advertisement No. 26/2023, another two recruitments have taken place for filling up the posts of Higher Secondary School Teacher in Zoology subject.

6. However, learned counsel for the petitioner submits that though the B.P.S.C. had conducted two recruitments after the advertisement No. 26/2023, but the B.P.S.C. has not yet published the result of last recruitment conducted for filling up the posts of Higher Secondary School Teacher.

7. Be that as it may, since the petitioner failed to secure the minimum cut-off marks as prescribed by the B.P.S.C. in advertisement No. 26/2023 itself and the petitioner participated in the said selection knowing fully well that for appointment as Higher Secondary School Teacher in Zoology subject under the advertisement No. 26/2023, a candidate will have to secure minimum 44 marks, I find that the petitioner cannot have any right to be selected/appointed as a Higher



Secondary School Teacher pursuant to the advertisement No. 26/2023 for failure of the petitioner to secure the minimum cut-off marks as prescribed by B.P.S.C. in advertisement No. 26/2023.

8. Accordingly, the writ petition, being devoid of merit, is dismissed.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	06.09.2024
Transmission Date	NA

