

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15447 of 2024

1. Himanshu Kumar son of Pawan Kumar Sah, Resident of Hanuman Nagar, P.O.- Hanuman Nagar, P.S.- Sonbarsa, District- Sitamarhi, Pin- 843317.
2. Indira Kumari, Daughter of Ramchandra Sah, Resident of Bahuarwa, P.O.- Parsa, P.S.- Kishanpur, District- Supaul, Pin- 852218.
3. Rajan Kumar Singh, son of Amitesh Singh, Resident of Gonhariya, P.O.- Harnathpur, P.S.- Raghunathpur, District- Siwan, Pin- 841504.
4. Nikhil Shukla, son of Ram Naresh Shukla, Resident of Goswamawan, P.O. and P.S.- Mallawan, District- Hardoi, U.P., Pin- 241303.
5. Nilanshu Patel, son of Virendra Singh, Resident of Go Goswamawan, P.O. and P.S.- Mallawan, District- Hardoi, U.P., Pin- 241303.
6. Dipashu Ishu, Daughter of Ganeshi Pandit, Resident of Rajauli, P.O. and P.S.- Rajauli, District- Nawada, Pin- 805125.
7. Ramekbal Das, son of Ram Pravesh Das, Resident of Shivdaspur, P.O.- Shivdaspur, P.S.-Katra, District- Muzaffarpur, Pin- 843321.
8. Satish Kumar, son of Akhilesh Chauhan, Resident of Sisauni, P.O.- Belatedha, P.S.- Kishanpur, District- Supaul Pin- 852131.
9. Prince Srivastava, son of Shailendra Kumar Srivastava, Resident of Sasaram, P.O.- Takiya Bazar, P.S.- Sasaram, District- Rohtas, Pin- 821113.
10. Ramakant Kumar, son of Ashok Mahto, Resident of Mustafapur, P.O.- Mahmaddpur Sakra, P.S.- Bibhutipur, District- Samastipur, Pin- 848160.
11. Suman, son of Alakhdev Prasad, Resident of Meghi, P.O.- Meghi, P.S.- Deepnagar, District- Nalanda, Pin- 803111.
12. Maneesha Singh, Daughter of Manoj Kumar Singh, Resident of Inamipur, P.O.- Narahi, P.S.- Nagra, District- Ballia, U.P., Pin- 221711.
13. Bharti Singh, Daughter of Phool Singh, Resident of Gondaura, P.O. and P.S.- Kishanpur, District- Fatehpur, U.P., Pin- 212658.
14. Sonu Kumar, son of Ramjivan Ram, Resident of Dukhan Saraiya, P.O.- Raghunathpur, P.S.- Paroo, District- Muzaffarpur Pin- 843126.
15. Vikram Bhai Patel, son of Shivshankar Prasad, Resident of Maheshpur, P.O.- Madhavpur, P.S.- Chandi, District- Nalanda Pin- 803108.
16. Bhiku Kumar, son of Shailesh Kumar Singh, Resident of Asani, P.O.- Asani, P.S.- Udvant, District- Bhojpur, Pin- 802210.
17. Sudama Puri, son of Devi Prasad Gunsai, resident of Karauli, P.O.- Narayana, P.S.- Masalpur, District- Karauli, Rajasthan, Pin- 322242.
18. Kanhaiya Singh, son of Harendra Singh, resident of Ganghar, P.O.- Ganghar, P.S.- Ara Muffashail, District- Bhojpur, Pin- 802312.
19. Manish Tiwari, son of Rakesh Tiwari, Resident of Pure Bhaiya, P.O.- Pura Madho Singh, P.S.- Antu, District- Pratapgarh, U.P., Pin- 230001.
20. Jyoti, Daughter of Rajendra Kumar, Resident of Jahanabad, P.O. and P.S.- Jahanabad, District- Fetahpur, U.P. Pin- 212659.



- 21. Abhinav Kumar Yadav, son of Amarnath Yadav, Resident of Kerakatpur, P.O.- Lohta, P.S.- Lohta, District- Varanasi, U.P., Pin- 221107.
- 22. K.M. Anshu Kumari, Daughter of Arun Kumar Maurya, Resident of Kidwainagar, Ward No.- 12, P.O. and P.S.- Saidraja, District- Chandauli, U.P., Pin- 232110.
- 23. K.M. Ankita Singh, Daughter of Dinesh Kumar Singh, Resident of Chaharpur, P.O.- Gopiganj, P.S.- Gopiganj, District- Sant Ravidas Nagar, (Bhadohi), U.P., Pin- 221303.
- 24. Jitendra Kumar, son of Naresh Das, Resident of Das Mohalla, P.O.- Nabinagar, P.S.- Nabinagar, District- Aurangabad, Pin- 824301.

... .. Petitioner/s

Versus

- 1. The State of Bihar through the Chief Secretary, Government of Bihar.
- 2. The Additional Chief Secretary, Education Department, Old Secretariat, Bailey Road, Patna- 800015.
- 3. The Secretary, Education Department, Old Secretariat, Bailey Road, Patna- 800015.
- 4. The Director, Secondary Education, Education Department, Old Secretariat, Bailey Road, Patna- 800015.
- 5. The Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna.
- 6. The Chairman, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna.
- 7. The Joint Secretary-cum- Examination Controller, Bihar Public Service Commission, 15 Jawahar Lal Nehru Marg, Bailey Road, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar
	:	Mr. Shrishti Singh
	:	Mr. Lokesh Vinayak Mishra
For the Respondent/s	:	Mr. Advocate General
	:	Mr. Amish Kumar (Ac to Ag)
For the BPSC	:	Mr. Sanjay Pandey-Aag15
	:	Mr. Nishant Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 08-10-2024 1. Learned counsel for the petitioners submits that identical issue has been decided by a Co-ordinate Bench of this Court *vide* order, dated 18.07.2024, passed in C.W.J.C. No. 1151



of 2024 (Dhirendra Kumar & Ors, versus The State of Bihar & Ors.). The Co-ordinate Bench in paragraph no. 56 of the aforesaid judgment has issued the following directions:-

"(i) The respondent nos. 1, 2, 3 and 4 are directed to identify the number of vacancies that have arisen due to non- appointment of the candidates recommended by the B.P.S.C. as primary teacher for class I-V pursuant to the Advertisement No. 26/2023 for want of requisite qualifications and convey it to the respondent nos. 5, 6 and 7.

(ii) The respondent nos. 5, 6 and 7, on receipt of the above information, shall publish a supplementary result in order of merit from the selection held pursuant to Advertisement No. 26 of 2023, subject to the candidate(s) having secured the cut off marks and meets the cut off date of birth prescribed by the B.P.S.C."

2. Learned counsel for the Bihar Public Service Commission submits that liberty may be given to the respondents to examine as to whether the case of the petitioners is covered by the aforesaid judgment or not.

3. Liberty is granted.

4. However, the present writ application is



disposed exactly in terms of the order, dated 18.07.2024, passed
in C.W.J.C. No. 1151 of 2024.

(Anil Kumar Sinha, J)

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