

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16464 of 2024

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Dhananjay Kumar S/o- Chandrama Singh Resident of Mohalla- Prabhunath
Nagar, P.S.- Chapra Town, District- Saran.

... .. Petitioner/s

Versus

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

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advocate Mr. Pranav Bhaskar, Advocate
For the Respondent/s	:	GA-10
BSUSC	:	Mr. Pawan Kumar, Advocate Mr. Utsav, Advocate Ms. Pratibha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-11-2024 1. Heard learned counsel for the petitioner, learned
AC to GA-10 for the State and learned counsel appearing on
behalf of the Bihar State University Service Commission.
2. Learned counsel appearing on behalf of the
Commission at the outset submits that the writ petition is not
maintainable for the reason that a writ of mandamus is being
sought by the petitioner but then from perusal of the pleadings
made in the writ application, it would manifest that the
petitioner before approaching this Court has not moved before
the authority seeking redressal of his grievance as raised in



instant writ application. It is further submitted that the writs are not to be issued for mere asking and the basic principle for issuing a writ of mandamus is demand and refusal but when there is no demand made by the petitioner before the authorities concerned it cannot be alleged or said that the authorities are not performing their public duty. It is submitted that from pleadings made in the writ application, it would manifest that the same does not even remotely suggest that the petitioner before approaching the Court had approached the authorities concerned.

3. Learned counsel appearing on behalf of the petitioner is not in a position to rebut the submission of the learned counsel appearing on behalf of the Commission, as such, the Court is not inclined to entertain the writ petition.

4. Accordingly, the writ application is dismissed.

(Satyavrat Verma, J)

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