

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17165 of 2024

Navin Kumar, Son of Narayan Prasad Sah, R/o Village Bishunpur Ward No. 43, P.O. Mirjapur Banduan, P.S. Town, District Begusarai, Bihar, Pin No.- 851129.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Secretary Law Department Bihar, Patna.
2. The Centralized Selection and Appointment Committee cum District and Sessions Judge, Patna, through its convenor.
3. The Convenor Centralised Selection and Appointment Committee cum District and Sessions Judge, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Akshay Kumar, Advocate
For the Respondent/s	:	Mr. Md. Zeeshan Kalim, AC to SC -20
For the Patna High Court:		Mr. Satyabir Bharti, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-11-2024 Heard learned Advocate for the petitioner and learned Advocate for the State as well as learned Advocate representing the Patna High Court.

2. The petitioner prays for issuance of a writ in the nature of *certiorari*, seeking quashing of the notice dated 02.05.2024, so far it relates to the petitioner, issued by the Convenor Centralized Selection and Appointment Committee cum District & Sessions Judge, Patna.

3. Learned Advocate for the petitioner contended that pursuant to the Employment Notice no. 3 of 2022, the petitioner on being found eligible submitted his application alongwith others against the post of Court Reader-cum-Deposition Writer in the Civil Courts of the State of Bihar. The petitioner has



declared successful in the preliminary test, whereupon he was allowed to appear in the written test. The petitioner appeared in the written test held on 17.03.2024. The written test comprised of objective as well as subjective questions. The OMR sheets were provided to the candidates to answer the objective questions; whereas separate sheets were provided for descriptive answers. Despite the best performance, the name of the petitioner did not find place in the list of the successful candidate. Subsequently a notice was published on the website of respondent no. 2 containing a list of candidates, whose candidature has been cancelled or OMR sheets were found invalid or answer book cancelled. Against the roll number of the petitioner it was remarked that the “Question Booklet Series Bubble Blank In OMR Sheets”.

4. Learned Advocate for the petitioner adverting to the aforesaid facts contended that the persons whose names also find place in the aforenoted notice; out of which 17 candidates have been declared qualified in the written test and have been allowed to appear in the skill test vide notice dated 09.05.2024; though the OMR sheets of those candidates were also defective.

5. In the aforesaid premise, learned Advocate for the petitioner contended that discrimination has been caused to him and he has not been declared as qualified in the written test like



other 17 candidates.

6. Mr. Satyabir Bharti, learned Advocate for the Patna High Court drawing the attention of this Court to Annexure P/6 contended that, in fact, the seventeen candidates, whose OMR sheets were not evaluated because of the same were found invalid, but as they have secured minimum qualifying marks, i.e. 36 marks in the answer script of descriptive type question, they have been declared as qualified in the written test held on 17.03.2024, in view of the resolution dated 07.05.2024 duly approved by the Patna High Court.

7. Upon being qualified in the written test, they have been asked to appear in the skill test like other successful candidates in the similar mode and manner. It is further contended that, now the entire process of selection has come to an end and the appointment letters have also been issued in favour of successful candidates on 12.09.2022 itself.

8. Learned Advocate for the Patna High Court lastly contended that since the petitioner has not secured minimum cut of marks of 36 which was required to qualify in the written test, the claim of the petitioner could not be considered.

9. Having heard the learned Advocate for the respective parties and taking note of the fact that the petitioner could not have been succeeded to secure the minimum



qualifying marks of 36 in the answer script of descriptive type question, this Court does not find the petitioner is abled to make out a case of interference. It is worth noticing that the entire selection process is already over and moreover the writ petition is also bad on account of non-joinder of necessary parties.

10. The writ petition stands dismissed.

(Harish Kumar, J)

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