

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16750 of 2023

1. Ajay Kumar Choudhary Son of Birbala Choudhary, Resident of Village - Machmara Khagra, Kalu Chowk, P.S. - Kishanganj, District - Kishanganj.
2. Mithilesh Kumar Choudhary, Son of Bhavesh Choudhary, Resident of Village - Parasmani, Ward No. -1, Purnea, P.S.- Sarsi, District- Purnea.
3. Chitranjan Kumar, Son of Ramcharitra Mahto, Resident of Village - Bahadurpur, Ward no. - 27, P.S. - Samastipur, District - Samastipur.
4. Ramanand Mishra, Son of Brajmohan Mishra, Resident of Village Talgaura, P.O. - Ahiyapur, P.S. - Sahebganj, District - Muzaffarpur.
5. Nilam Kumari, Wife of Chandrashekhar Pandey, Resident of Mohalla -Sarvoday Nagar, Karma Road, P.S. Aurangabad, District - Aurangabad.

... .. Petitioners

Versus

1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
4. The Director, Primary Education, Government of Bihar, Patna.
5. The Bihar Public Service Commission, through its Chairman, 15, Jawaharlal Nehru Marg, Bailey Road, Patna.
6. The Chairman, Bihar Public Service Commission, Bihar, Patna.
7. The Secretary, Bihar Public Service Commission, Bihar, Patna.
8. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Bihar, Patna.

... .. Respondents

Appearance :

For the Petitioners	:	Mr. Jagjit Roshan, Advocate Mr. Om Prakash, Advocate Mr. Rajeev Ranjan, Advocate Mr. Apul, Advocate
For the Respondents	:	Mr. Kameshwar Prasad Gupta, GP-10 Mr. Anwar Karim, AC to GP-10
For the BPSC	:	Mr. Rajni Kant Jha, Advocate Mrs. Prisu Snehil, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 16-07-2024



Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar Public Service Commission.

2. This writ petition has been filed by the petitioners seeking a direction to the respondents to grant age relaxation as per the Bihar State School Teachers (Appointment, Transfer, Disciplinary Proceedings and Service Conditions) Rules, 2023 and allow the petitioners to apply for the post of School Teacher under advertisement No. 27 of 2023. The selection process in terms of the advertisement No. 27 of 2023 is stated to have been concluded.

3. The petitioners now, by means of an interlocutory application bearing I.A. No. 01 of 2024, seeks a similar direction to the respondents to allow the petitioners to apply for the post of Primary Teacher under advertisement No. 22 of 2024. Advertisement No. 22 of 2024 is another set of new recruitment which has been initiated by the Bihar Public Service Commission after the selection process of the advertisement No. 27 of 2023 has been concluded.

4. Under the circumstances, I am of the view that the relief sought for by the petitioners by means of the I.A. No. 01 of 2024 is entirely a new and different cause of action, for which the



petitioners may approach by filing a new writ petition, if so advised.

5. For the reasons stated above, this writ petition is dismissed.

6. Accordingly, I.A. No. 01 of 2024 also stands dismissed.

(Nani Tagia, J)

Nishant/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2024.
Transmission Date	NA

