

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.9 of 2025
In
Civil Writ Jurisdiction Case No.9413 of 2024

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1. The State of Bihar Through the Chief Secretary, Government of Bihar, Patna.
 2. The Additional Chief Secretary-cum-Principal Secretary, General Administrative Department, Government of Bihar, Patna.
 3. The Secretary, Department of Agriculture, Government of Bihar, Patna.
 4. The Director, Department of Agriculture, Government of Bihar, Patna.

... .. Appellant/s

Versus

1. Niraj Kumar Verma S/o- Late Manohar Prasad Verma, R/o- LIG, 101, Shaheed Bhagat Singh Colony, Mustaffabad, P.O. and P.S- Rampur, Gaya, Bihar.
2. Binod Kumar Singh S/o- Shri Fagendra Singh, Resident of Village and P.O.- Chouki, P.S.- Sahebpur Kamal, District- Begusarai, Bihar- 851217.
3. Rajesh Kumar Sinha S/o Late Jainandan Prasad, Resident of C/o Shri Sunil Kumar Sinha, Naya Gaon, Near Ganga X-ray, T.B. Hospital, P.O.- Guljarbag, P.S.- Alamganj, District- Patna, Bihar- 800007.
4. Prabhat Kumar Singh S/o- Late Rameshwar Prasad Singh, Resident of Village- Dharampur, P.O.- Madhodih, P.S.- Harpur, District- Munger, Bihar- 813221.
5. Shamsher Alam S/o- Wali Mohammad, Resident of Village- Lakhno, P.O.- Chakand, P.S.- Chandauti, District- Gaya, Bihar- 804404.
6. The Bihar Public Service Commission, through the Secretary, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
7. The Chairman, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna- 800001.
8. The Controller of Examination, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna-800001.

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. P.K. Shahi, AG Mr. Md. Nadim Saroj, GP- 5 Mr. Shailesh Kumar , AC to GP- 5
For the Respondent/s	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kumar Jha, Advocate Mr. Kumar Kaushik, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT



(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

Date : 20-01-2025

Re.- I.A. No. 1 of 2025 :-

Mr. P.K. Shahi, the learned Advocate General for the appellants presses I.A. No. 1 of 2025 for condoning the delay of 167 days in preferring this appeal.

2. For the reasons stated in the application, the delay of 167 days in preferring this appeal is condoned.

3. I.A. No. 1 of 2025 stands allowed.

Re.- L.P.A. No. 9 of 2025 :-

4. The State has preferred this appeal against the order passed by the learned Single Judge on 19.07.2024 passed in C.W.J.C. No. 9413 of 2024.

5. By the aforesaid order, based on the averments made on behalf of the respondents/petitioners that no weightage was given to the contractual employees for having served on the post, in the examination, a direction was issued to the Commission to consider the representation of the respondents/ petitioners and a decision to be taken within fifteen days from the date of



communication and receipt of the copy of the writ petition, considering the fact that the process of interview is in progress.

6. We find from the order that the writ petition was disposed off.

7. However, as a purely *ad-hoc* measure, it was directed by the learned Single Judge that in the meantime, the above-named respondents would not publish the final result of the examination.

8. This proscription of publishing the result, therefore, is only for the period till the time a decision would be taken by the Commission on the representation preferred by the respondents/petitioners as directed by the learned Single Judge.

9. It appears from the pleadings of the parties that a decision has been taken by the B.P.S.C. over such representation, *albeit* such order not being to the liking of the respondents/petitioners, for which they have chosen to file a contempt petition.



10. It further appears from the records that three advertisements were published by the Commission and the litigation before the learned Single Judge was only with respect to advertisement No. 18 of 2024 and not for the selection process initiated by the other advertisements.

11. In any view of the matter, the stay order contained in paragraph No. 8 of the impugned order operates only till the B.P.S.C. disposes off the representation of the respondents. This stands admitted by the respondents/petitioners in their counter-affidavit.

12. The petition, therefore, stands disposed off with the afore-noted clarification.

13. We have said so on the undertaking of the learned counsel for the Commission that the review petition before the learned Single Judge shall be withdrawn.

14. We have passed this order only for ensuring the expeditious conclusion of the selection/recruitment



process which was undertaken by the B.P.S.C.

15. The contempt petition pending before the learned Single Judge would be contested by the parties if, at all, it is found to be maintainable.

16. I.A. No. 2 of 25 for stay of the impugned order also stands disposed off accordingly.

(Ashutosh Kumar, ACJ)

(Partha Sarthy, J)

Sauravkrsinha/
Sunil-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	21.01.2025
Transmission Date	NA

