

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.30 of 2023

In

Civil Writ Jurisdiction Case No.3032 of 2018

Rahul Kumar Mishra Son of Sri Satyendra Kumar Mishra Resident of Village and P.O.- Harpur Karah, P.S. - Baniyapur, District - Saran, (Bihar).

... .. Appellant/s

Versus

1. The State of Bihar Through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Bhawan, Near Airport, Patna.
3. The Secretary, Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Bhawan, Near Airport, Patna.
4. The Controller of Examination, Bihar Combined Entrance Competitive Examination Board, I.A.S. Association Bhawan, Near Airport, Patna.

... .. Respondent/s

Appearance :

For the Appellant	:	Mr. Raj Narayan Mishra, Advocate
For the State	:	Mr. Surya Deo Yadav, (Aag 9)
	:	Mr. Anil Kumar Verma, AC to AAG-9
For BCECE Board	:	Mr. Prasoon Singh, Sr. Advocate
	:	Mr. Prabhat Kumar, Advocate

CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

(Per: HONOURABLE THE ACTING CHIEF JUSTICE)

4 09-09-2025 The appellant has assailed the order of the learned Single Judge dated 14.11.2022 passed in CWJC No. 3032 of 2018. In the writ petition, petitioner had prayed for the following relief(s):-

“That the present memo of appeal is being preferred against the Order dated 14.11.2022 passed in C.W.J.C. No.3032 of 2018 by Hon'ble Mr. Justice 2018 Sanjeev Prakash Sharma whereby his was pleased to dismissed filed petition writ Lordship's the by the Appellant for



directing the Respondents to damages pay and compensate the Appellant for the loss he suffered due to fault and latches on the part of the Respondents to the tune of over Rs.32,00,000/- as he was deprived of admission in Bihar for Government Medical College pursuing M.B.B.S. Course and further treat him as candidate from Bihar when he applies for admission in P.G. Course.”

2. For the purpose of claiming damages or compensation insofar as depriving medical seat with reference to 15% all India quota which was undertaken by the respondent on 07.10.2016. The petitioner has not made out a vested right or right to be considered his name under 15% all India quota. He has not pointed out any material information with reference to merit to the extent that under particular category, last selected candidate is lesser merited on par with the appellant, so as to take away the right of admission to Government Medical College under 15% all India quota as on 07.10.2016. In the absence of furnishing the aforementioned particulars, the appellant has not made out a vested right to claim compensation or damages from the respondent insofar as non-consideration of his name for MBBS course admission in a Government Medical College under 15% all India quota. Thus, appellant has not



made out a case so as to interfere with the order of the learned Single Judge dated 14.11.2022 passed in CWJC No. 3032 of 2018.

3. Accordingly, LPA stands dismissed. Pending Interlocutory Applications, if any stands disposed of.

(P. B. Bajanthri, ACJ)

(Alok Kumar Sinha, J)

Gaurav Sinha/-

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