

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1706 of 2025

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Archana Sinha, D/o Vinod Kumar and W/o Vijay Bhushan Sinha Resident of
Mohalla- Shashtri Nagar, Road No.- 8 (West), P.S.- Rampur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Government of Bihar, Patna.
2. The Principal Secretary, Higher Education, Government of Bihar, Patna.
3. The Chairman, Bihar State University Service Commission, Patna.
4. The Secretary, Bihar State University Service Commission, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Binit Kumar- Advocate
For the State	:	Mr. Standing Counsel (08)
For B.S.U.S.C.	:	Mr. Tuhin Shankar- Advocate
		Mr. Gopal Kumar- Assisting Counsel

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-03-2025 1. Heard learned counsel for the petitioner, learned Standing Counsel for the State and the learned counsel appearing on behalf of the Bihar State University Service Commission (in short ‘Commission’).

2. The learned counsel appearing on behalf of the petitioner submits that the instant writ application has been filed for a direction upon the respondents to consider the candidature of the petitioner on the post of Assistant Professor in the subject of English in the category of Backward Classes (Female) as at the time of filling of the form, the petitioner could not produce her Non-Creamy Layer certificate.



3. The learned counsel appearing on behalf of the Commission submits that the writ petition is misconceived for the reason that in terms of the advertisement, it was mandated that the candidate belonging to reserved category had to submit the Non-Creamy Layer certificate before the cut off date as incorporated in the advertisement dated 21.09.2020. It is next submitted that petitioner though applied as a reserved category candidate, but then, she did not submit her Non-Creamy Layer certificate within the time stipulated in the advertisement, as such, at the time of scrutiny in absence of the said Non-Creamy Layer certificate, the candidature of the petitioner was treated as a General Category candidate.

4. At this stage, the learned counsel appearing on behalf of the petitioner submits that the petitioner has represented before the Chairman of the Commission with a prayer that her candidature be treated as a Reserved Category candidate instead of General Category Candidate, on which the learned counsel appearing on behalf of the Commission submits that the prayer of the petitioner cannot be acceded to as the petitioner, within the time stipulated in the advertisement, had not submitted her Non-Creamy Layer certificate and in the event, if the writ application is allowed, in that event, a spate of



litigation will flood this Court.

5. Considering the submissions made by the learned counsel appearing on behalf of the Commission, the Court is not inclined to allow the writ application.

6. The writ application is dismissed accordingly.

(Satyavrat Verma, J)

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