

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2728 of 2025

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Shyam Murti Bharti Son of Ram Parikshan Paswan, Village- Benipur Post-
Benipur, P.S.- Bahera, District- Darbhanga, Bihar- 847103.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The Bihar State University Service Commission, through its Secretary, Buddha Marg, Bihar, Patna.
4. The Chairman of the Bihar State University Service Commission, Buddha Marg, Bihar, Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Gaurav Kumar, Advocate Mr. Suraj Prakash, Advocate Mr. Ashtosh Somani, Advocate
For the Respondent/s	:	Mr. Kumar Alok, SC (07)
For the BSUSC	:	Mr. Rakesh Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-02-2025 Heard Mr. Gaurav Kumar, along with Mr. Suraj Prakash and Mr. Ashtosh Somani, learned counsels appearing on behalf of the petitioner and Mr. Kumar Alok, learned SC (07) appearing on behalf of the State and Mr. Rakesh Kumar Singh, learned counsel appearing on behalf of the Bihar State University Service Commission.

2. The petitioner in paragraph no. 1 of the present writ petition has sought, *inter alia*, the following relief(s), which is reproduced hereinafter:-

*“That the present writ application is being filed
for issuance of appropriate writ/ writs,*



order/orders, direction/directions to the respondent authority in the nature of mandamus to allow the petitioner to participate in an oral interview scheduled dated 19th to 24 February, 2025 for Regular appointment on the post of Assistant Professor in History faculty against 55 vacant seats Schedule Caste (SC) Category in the universities of Bihar conducted by Bihar State University Service Commission issued its notification no. B.S.U.S.C/VIGYA.-42/2023(Khand-15)-1754, Patna, dated 14.10.2024 against the advertisement No. AP-HIST-08/20-21, in the light of direction of this Honourable Court passed in C.W.J.C. No. 8932 of 2020 and L.P.A. No. 604 of 2023 and others analogous cases clubbed with it, despite of being possessed requisite qualification as per Para 4 of notification of the advertisement and having marks achieved 70 which is more than cut off marks 61.60 for schedule caste (SC) category, the respondents authority have not given opportunity to the petitioner depriving his rights to participate in the interview which is scheduled to be held on 19th & 24th February, 2025, hence this writ application.”

3. Learned counsel appearing on behalf of the petitioner submitted that the petitioner belongs to the Scheduled Caste (SC) category and the cut off marks fixed for the Scheduled Caste (SC) category is 61.60, whereas, the petitioner has obtained 70 marks, which is more than the cut-off marks fixed for the Scheduled Caste (SC) category, inspite of that the respondent authority did not permit the petitioner to participate in the interview scheduled to be held on 19th & 24 February, 2025. Accordingly, the petitioner has filed present writ petition for redressal of his grievance.



4. It has been informed by the learned counsels for the parties that several writ petitions were disposed of and the aggrieved parties have preferred several SLP(s) before the Apex Court. One of the SLP bearing Special Leave to Appeal (C) No. 11293 of 2024 has been filed by such candidates.

5. In such circumstance, I direct the Chairman of the Bihar State University Service Commission to take steps and redress the grievance of the petitioner in the light of the judgment dated 20-02-2025 passed in CWJC No.11232 of 2024 **(Dr. Randhir Kumar Rana vs. State of Bihar and Ors.)**, expeditiously, in accordance with law.

6. Accordingly, the present writ petition is disposed of with the aforesaid direction.

(Purnendu Singh, J.)

Chn/-
Ashishsingh/-

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