

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4166 of 2025

Sanjiv Ranjan Son of Sri Yadunath Sah, Resident of Village- Chhavahi Taki,
P.O.- Gopalganj, P.S- Manjhagarh, District- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Old Secretariat, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat, Patna.
3. The Director, Higher Education, Govt. of Bihar, New Secretariat, Patna.
4. Bihar State University Service Commission, through its Chairman, 8th Floor, BSEB Building (Admin. Block), Budh Marg, Patna, Bihar.
5. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building, Budh Marg, Patna, Bihar.
6. The Under Secretary-cum-Public Information Officer, Bihar State University Service Commission, 8th Floor, BSEB Building, Budh Marg, Patna, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Bipin Bihari Singh, Advocate.
For the State	:	Ms. Kalpana, AC to GA-8.
For BSUC	:	Mr. Tuhin Shankar, Advocate.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-03-2025 Heard Mr. Bipin Bihari Singh, learned counsel appearing on behalf of the petitioner, Ms. Kalpana, learned counsel for the State and Mr. Tuhin Shankar, learned counsel appearing on behalf of the Bihar State University Service Commission (in short 'Commission').

2. 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 Extremely Backward Class as at the time of filling of the form, the petitioner could not produce his Non-Creamy Layer certificate.

3. 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 candidates 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, he did not submit his Non-Creamy Layer certificate within the time stipulated mentioned in the advertisement, as such, at the time of scrutiny in absence of the Non-Creamy Layer certificate, the candidature of the petitioner was treated as a General Category candidate.

4. At this stage, learned counsel appearing on behalf of the petitioner submits that the petitioner has represented before the Chairman of the Commission with a prayer that his candidature be treated as a Reserved Category candidate instead of General Category Candidate, on which 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 his Non-Creamy Layer certificate and 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.

(Purnendu Singh, J)

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