

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6696 of 2025

Dr. Arun Kumar S/o Late Mahendra Prasad Gupta, Resident of Village and P.O.-Singharay, Gandhi Chowk, P.S. Mahua, District-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Education (Higher), Government of Bihar, Patna.
3. The Director, Higher Education, Department of Education, Government of Bihar, Patna.
4. The Bihar State University Service Commission through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
5. The Chairman, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
6. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
7. The Principal, Nirsu Narayan College, Singhara, District Vaishali.
8. The Registrar, Babasaheb Bhimrao Ambedkar Bihar University, Muzaffarpur.
9. Sanjeev Kumar having UID No. SAN13021976GEO0073905 placed at Sr. No. 19 under EBC Category of merit list published dated 27.10.2024, through the Registrar, Munger University, Munger, contained in the University allotment list dated 28.10.2024.
10. Mukul Kumar, having UID No. MUK25011990GEO0036567 placed at Sr. No. 20 under EBC Category of merit list published dated 27.10.2024, through the Registrar, TMBU, Bhagalpur, contained in the University allotment list dated 28.10.2024.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the Respondent/s	:	Government Pleader (26)
For the BSUSC	:	Mr. P. M. Sharran, Advocate

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 24-04-2025 Heard Mr. Sanjay Kumar, learned counsel appearing on behalf of the petitioner; learned Government Pleader (26) for the State and Mr. P. M. Sharan, learned counsel appearing



for 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:-

“(i) For issuance of an order, direction or a writ of Certiorari for quashing and setting aside the final result published dated 27.10.2024 contained in Important Notice No. B.S.U.S.C./Vigya.- 17/2023 (Khand-11)-1959 and University allotment to the successful candidates vide Important Notice No. B.S.U.S.C./ Vigya.-17/2023 (Khand-17)-1981 dated 28.10.2024 issued By the Bihar State University Service Commission, Patna (herein after referred to as Commission) against 142 vacant post of Geography subject including 28 seats for EBC reserved Category under the Advertisement No.AP-GEOG-12/20-21 pursuant to the Advertisement Notice dated 21.09.2020.

(ii) To issue a writ of mandamus commanding the respondent Commission to recalculate the marks of the petitioner fairly as despite having requisite qualification and marks as per Clause 7.2 table under Advertisement Notice dated 21.09.2020, self- assessed 83 marks is claimed (Graduation-13, Post-Graduation-23, Ph.D-30, 5 Research Publication-10, 5 years Experience -10 the aggregate total marks claimed by the petitioner is 83+ interview 3 Marks Total 86 marks, against minimum cut off marks 83 for final selection for Extremely Backward class (EBC) (Male) category prescribed as per clause 7.1 and 7.2 of the Advertisement Notice dated 21.09.2020 (Annexure-1) the respondent Commission deliberately denied to accept and add 10 marks of Teaching experience and lowering the marks to the petitioner in interview to favour the lastselected candidates under EBC (Male) category having lesser marks than the petitioner selected particularly namely Sanjeev Kumar having UID No. SAN13021976GE00073905 placed at Sr. No. 19 and Mukul Kumar having UID No. MUK25011990GEO0036567 at Sr. No. 20 were allotted Munger University, Munger and TMBU, Bhagalpur respectively in the University allotment list published dated 28.10.2024.

(iii) To hold and declare the action of the authorities concerned of the Respondent No. 4 & 5 wrongful and erroneous in



considering the experience certificates valid to the selected candidates without verification that whether the experience certificate is as per the terms of clause 5.5 of the advertisement notice dated 21.09.2020 or not? Also the experience certificate of the petitioner deliberately denied to be accepted on a mere mistake of the issuing college not mentioning the reference number on the certificate, later in claim/objection other similarly situated candidates were given opportunity and some of the candidates having experience certificate without a reference number were accepted but the petitioner's corrected proof of experience denied to be accepted and without adding marks of the same the result was published.

(iv) To issue a writ of Mandamus commanding the respondent Commission to accept and grant due 10 marks to the teaching Experience certificate issued dated 24.11.2020 by the Principal Nirsu Narayan College, Singhara, Vaishali for the period of 10.11.1997 to 24.11.2020 and countersigned dated 25.11.2020 by the Registrar, B..R.A.B.U., Muzaffarpur as per requirements contained in Clause 7.2(6) of the Advertisement Notice dated 21.09.2020.

(v) To issue a writ of Mandamus commanding the respondent Commission to disclose names of two subject experts who declared experience certificate of the petitioner invalid and denied to grant 10 marks to be added in the total score, so that they may properly be impleaded as Respondent No.11 and 12.

(vi) To issue a writ of mandamus directing respondent no. 4 and 5 to initiate enquiry of the experience certificate of the selected candidate of EBC (Male) category in view of clause 5.5 of the advertisement notice dated 21.09.2020 in the light of judgement of this Hon'ble Court as held in CWJC No. 10339 of 2022 order dated 31.07.2024 titled as "Dr. Shashi Gupta vs The Bihar State University Service Commission and others".

(vii) To direct the respondent commission that after the enquiry of the experience certificate of the candidates in the teeth of clause 5.5 of advertisement notice dated 21.09.2020, if their certificates uploaded found frivolous, taking action against those candidates, petitioner be declared successful and selected in the merit list on the seats vacated by the undeserving candidates in view of similarly situated case titled as "Dr. Shashi Gupta vs The Bihar State University Service Commission and others".



*(viii) For grant of any other relief(s)
to which the petitioner may be found entitled to
in the facts and circumstances of this case.”*

3. Considering the reliefs, as prayed for in the present writ petition, the petitioner may seek current information from the Chairman of the Bihar State University Service Commission (BSUSC), as this Court cannot act as an Information Officer, more so, when the petitioner has not even made out any case of interference.

4. Accordingly, the present writ petition stands disposed of.

(Purnendu Singh, J)

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