

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6372 of 2025

Vijay Kumar son of Durga Singh, resident of Village-Balwapur, Post Office-Gonawan, PS-Harnaut, District-Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Department of Education, Govt. of Bihar, New Secretariat, Patna.
2. The Chairman, Bihar State University Service Commission (BSUSC), 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna.
3. The Secretary, Bihar State University Service Commission (BSUSC), 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna.
4. The Additional Secretary, Bihar State University Service Commission (BSUSC), 8th Floor, Bihar School Examination Board, Academic Building, Buddha Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar Garg, Advocate
For the Respondent/s	:	Mr. Raghwendra Kumar, SC- 22
		Mr. Vikramadit, AC to SC- 22
For the Commission	:	Mr. Abinash Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE NANI TAGIA
ORAL JUDGMENT

Date : 21-04-2025

Heard learned counsel for the parties.

2. The petitioner is aggrieved by the action of the respondent - Bihar State University Service Commission (hereinafter referred to as the 'Commission') in not awarding the marks to the petitioner allotted in the category of Peer Reviewed Research Article, pursuant to advertisement dated 21.09.2020, issued by the Commission for recruitment to the post of Assistant Professor (Sociology), as a result of which, according to the



petitioner, he has not been selected in the select list published by the Commission on 10.01.2025, in which as many as 108 candidates have been selected for appointment as Assistant Professor (Sociology) in terms of advertisement dated 21.09.2020.

3. From the submissions made by the learned counsel for the petitioner, it appears that against 108 posts of Assistant Professor (Sociology) advertised on 21.09.2020, the respondent-Commission has selected 108 candidates for appointment as Assistant Professor (Sociology).

4. Despite, the selection has been concluded in terms of advertisement dated 21.09.2020 resulting in selection of 108 candidates for appointment as Assistant Professor (Sociology), none of the selected candidates has been added as party respondents in the present writ petition.

5. Learned counsel for the petitioner by referring to the similar order passed by this Court on 27.02.2025 in CWJC No. 3128 of 2025, submits that the counter affidavit from the respondent-Commission may be called for.

6. I have considered the submission of the learned counsel for the petitioner.

7. It is the submission of the learned counsel for the petitioner himself that the Commission has published a select list



dated 10.01.2025, whereby, against 108 post of Assistant Professor (Sociology) advertised by the Commission on 21.09.2020, 108 candidates have been selected for appointment as Assistant Professor (Sociology). It being the settled position of law that no appointment can be made beyond the number of posts advertised in a particular recruitment; in the absence of any of the 108 selected candidates for the post of Assistant Professor (Sociology) having been impleaded as party respondents in the instant writ petition, I find that no relief, sought for by the petitioner in the present writ petition, can be granted, which may result in the appointment of the petitioner beyond the number of posts advertised in the advertisement dated 21.09.2020.

8. Under the circumstances, this writ petition is dismissed being devoid of merit.

(Nani Tagia, J)

Siddharth
Sagar/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	22.04.2025
Transmission Date	NA

