

IN THE HIGH COURT OF JUDICATURE AT PATNA
Miscellaneous Jurisdiction Case No.1688 of 2023

In
Letters Patent Appeal No.309 of 2022

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1. The State of Bihar through Principal Secretary, General Administrative Department, Government of Bihar, Patna.
 2. The Additional Secretary, General Administrative Department, Government of Bihar, Patna.

... .. Petitioners

Versus

1. Sushma Kumari Wife of Sri Pritam Kumar Resident of Mohalla- Mayur Vihar Colony (Shyam Nagar), P.O.- Khajpur, P.S.- Rajiv Nagar, District- Patna.
2. The Bihar Public Service Commission, Patna through its Secretary.
3. The Chairman, Bihar Public Service Commission, Patna.
4. The Secretary, Bihar Public Service Commission, Patna.
5. The Joint Secretary-cum-Examination Controller, Bihar Public Service Commission, Patna.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Anil Kumar(A.C. To S.C. 8)
For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

4 03-04-2025 The present MJC is for modification of the order dated 17.04.2023 passed in LPA No. 309 of 2022 in particularly paragraph no. 4. Learned counsel for the petitioners submitted that Coordinate Bench has committed an error insofar as 3% of the posts are reserved for Scheduled Tribe women candidates etc., it should have been reserved for women backward classes. Such alteration is not permissible in the guise of filing MJC



(Modification). Therefore, the present MJC (Modification) is not maintainable. MJC (Modification) is entertainable only if there is any typographical error. On the other hand, in the present case material information is required to be examined. Therefore, the only remedy available to the petitioners is in filing Civil Review.

2. At this stage, learned counsel for the petitioners intends to withdraw the present MJC (Modification).

3. Accordingly, MJC stands dismissed as withdrawn.

(P. B. Bajanthri, J)

(Alok Kumar Sinha, J)

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