

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10905 of 2025

1. Vikash Kumar Son of Jairam Bhakt, resident of ward no. 7, Kerma, P.S.- Kudhni, District- Muzaffarpur, Bihar.
2. Manglesh Kumar, Son of - Brijnandan Ray, Resident of Basauli, Post-Basauli, P.S.- Turki, District- Muzaffarpur, Bihar.
3. Ranjeet Kumar, Son of Suresh Hazra, Resident of- Ward No.- 5, Majhauriya, P.S.- Majhauriya, West Champaran Bihar.
4. Ghanshyam Prashad Chaurashiya, Son of - Krishdev Prashad Chaurashiya, Resident of- Ward no. 21, Sathbirwa, P.S.-Majhauriya, District- West Champaran, Bihar.
5. Ajay Kumar Sharma, Son of Kashi Sharma, Resident of - Durga Nagar, Bus Stand, Bettiah, P.S.- Mufassil, District- West Champaran, Bihar.
6. Sudhir Kumar, resident of - Sant Ghat, Babu Colony, Bettiah, P.S. Bettiah Town, District- West Champaran, Bihar.
7. Ranjit Kumar, Son of Gopal Raut, resident of - Modipurbhattola, Chailabhar, District- West Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, General Administration Department, Government of Bihar, Patna.
2. The Chairman Bihar Staff Selection Commission, Patna, Bihar.
3. The Commissioner, Tirhut Range, West Champaran.
4. The District Magistrate Cum Collector Bettiah, West Champaran.
5. The Deputy Collector Establishment, Bettiah West Champaran Collectriate, West Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Rishabh Mishra, Advocate
For the Respondent/s	:	Mr. Anwar Karim, AC to GP-10
For the BSSC	:	Mr. Jitendra Kumar Rai, BSSC

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 22-07-2025

Learned Counsel for the petitioners, learned
Counsel for the Bihar Staff Selection Commission and learned



Counsel for the State are present.

2. The present writ petition has been filed with the following reliefs:-

“I. To Quash the order dated 15/01/2025 issued with panel list by Secretary Bihar Staff Selection Committee which is issued without following the Due process of law and is legal and violative to Articles 14, 16 and 21 to the constitution of India and is not in conformity of Hon'ble Supreme Court's Judgment in the Renu and others v District and Session Judge, Tis Hazari Courts, Delhi and another reported in (2014)14 SCC 50 and Hon'ble High Court Judgment Passed in CWJC 18612/2019 dated 18/12/2019 as the appointment being made is illegal and De-horse the law, also by calling entire records quash the same along with its effect and operations.

II. To direct the Respondents to make fill up the Posts as per Judgment Renu and others v District and Session Judge, Tis Hazari Courts, Delhi and another reported in (2014) 14 SCC 50 and Hon'ble High Court Judgment Passed in CWJC 18612/2019 dated 18/12/2019.

III. To hold that the respondents are under an obligation to fill up the entire vacancies of Bettiah district



with due Process by following the Judgment of Hon'ble High court as the Respondents have not disclosed the number of vacancies.

IV. To direct the respondents to fill the entire vacancies of Bettiah West Champaran by releasing fresh advertisement by disclosing the number of vacancies to be filled up, without disclosing the number of posts is illegal and against the law.

V. Any other reliefs or relief as deemed fit and proper in the facts and circumstances of the petitioners' case or to mold the relief as the facts highlighted in the body of the petition."

3. Learned Counsel for the petitioners submits that the petitioners have appeared in the examination process conducted by the Bihar Staff Selection Commission, but could not be competed. After publication of the result, Counsel raised the point that total number of proper vacancy has not been published in the advertisement and it is due to this reason Counsel filed the present writ petition. In the writ petition prayer for quashing the order dated 15.01.2025 contained the panel list issued by the Secretary, Bihar Staff Selection Commission has been made.

4. Learned Counsel for the Commission submits that the Bihar Staff Selection Commission has conducted the



exam for the post of Parichari/Parichari (Bishisht) in compliance of the Hon'ble Court's order passed in CWJC No.18612 of 2019, CWJC No.17070 of 2019, CWJC No.18148 of 2019 and CWJC No.18443 of 2019. Counsel submits that by those decisions made by this Hon'ble Court, opportunity has been granted to the petitioners and other similarly situated persons to appear in the said examination as a one time measure. Under different advertisements, in different years, the candidates having 8th pass and candidates having 10th pass, both were eligible to appear for appointment on Class-IV post in the respective years. It is due to this reason, two types of exam had been conducted. In one type of exam eligibility was fixed 8th pass and another type of exam eligibility was fixed 10th pass. Counsel for the Bihar Staff Selection Commission further submits that after publication of the said result on 8th basis and 10th basis, the petitioners could not be found selected and only thereafter he filed the present writ petition submitting that the published result should be quashed.

5. Learned Counsel for the State submits that in the light of the discrepancies made in the various districts for the appointment of Class-IV posts/Group-D posts as Peon/Peon (Specific), a separate Rule has been published in the year 2023



in the light of this Hon’ble Court’s order under which the process of appointment has been made in which petitioners were not selected and thereafter petitioners have come with this plea that total number of posts were not advertised.

6. In the light of the averments made, it transpires to this Court that petitioners appeared in the selection process and upon declaration of the result in which they were not successful, filed the present writ petition.

7. This Court is of the firm view that petitioners have no case, particularly when they have appeared in the examination process and not selected. Accordingly, the writ petition stands dismissed.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	23.07.2025
Transmission Date	

