

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13522 of 2025

1. Om Prakash Narayan S/o Athal Ram, R/o Village Tola, P.S. Harsidhi, Math Lohiyar, District-East Champaran, Bihar.
2. Aneeta Kumari W/o Anil Kumar, R/o village- Jagat Narayan Road, P.S.- Kadamkuan, Patna-800003, Bihar.
3. Vandana Kumari D/o Ashok Kumar Yadav, R/o Jamhara Block, P.S.- Jamhara, District-Saharsa, Bihar.
4. Shalini Sinha W/o Sunil Kishore, R/o village H. No. 206, Abhiyanta Nagar, West Bailey Road, Lane Next To Gyanodya Gurukul School, Gola Road, P.S.- Danapur, Dinapur-Cum-Khagual, Patna- 801503, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Main Secretariat (Old Secretariat), Patna-800015. Bihar.
2. The Additional Chief Secretary, Health Department, Government of Bihar, Vikas Bhawan, Bailey Road, Patna 800015, Bihar.
3. The Chairman, Bihar Technical Service Commission, 6th Floor, Indira Bhawan, Bailey Road, Patna 800001, Bihar.
4. The Secretary, Bihar Technical Service Commission, 6th Floor, Indira Bhawan, Bailey Road, Patna- 800001, Bihar.
5. The Controller of Examination, Bihar Technical Service Commission, 6th Floor, Indira Bhawan, Bailey Road, Patna-800001, Bihar.
6. The Registrar, Bihar Council of Medical Registration, Vikas Bhawan, Bailey Road, Patna-800015, Bihar.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar Rai, Advocate
For the State	:	AC to AG
For the BTSC	:	Mr. Nikesh Kumar, Advocate Mr. Akshansh Shanker, Advocate
For the BCMR	:	Mr. Awadhesh Kumar Pandiut, Advocate



CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 07-10-2025 The petitioner had filed the instant application for the following reliefs:

“a) For issuance of a writ in the nature of Mandamus, commanding the Bihar Technical Service Commission (BTSC) to duly consider the representations of the petitioners (Petitioner Nos. 1 to 3 dated 28.07.2025 and Petitioner No. 4 via email dated 23.07.2025), and to forthwith include their names in the provisional merit list for the post of Specialist Medical Officer, in light of their "qualified" status and scores above the prescribed cut-off;

b) For issuance of a writ in the nature of Certiorari or any other appropriate writ/order to quash the provisional merit list dated 21.07.2025, to the extent it arbitrarily excludes the petitioners despite their eligibility and merit, and direct the preparation of a revised merit list in a fair, transparent, and lawful manner;

c) To hold and declare that the exclusion of the petitioners from the provisional merit list without assigning any reason, despite fulfilling all eligibility criteria, is illegal, arbitrary, discriminatory,



and violative of Articles 14 and 16 of the Constitution of India;

d) To direct the respondent Commission to allow the petitioners to participate in the next phase of recruitment, including document verification and further selection process, or in the alternative, provide a special opportunity for document verification notwithstanding the fact that the document verification has already concluded;

e) To direct the respondent authorities to frame and publish clear and transparent guidelines for the preparation of the merit list, and to communicate reasons for exclusion to all affected candidates in future, in the interest of natural justice;

f) To direct the respondent Bihar Technical Service Commission (BTSC) to keep one post vacant for each petitioner till the final adjudication of the present writ petition, particularly because the last date of document verification was 30.07.2025, and the petitioners had submitted their representations prior to that date.

g) To pass such other or further orders/directions as may be deemed just, proper, and equitable in the facts and circumstances of the case, in the interest of justice and fair play.”



2. Mr. Jitendra Kumar Rai, learned counsel for the petitioners seek permission to withdraw this application.
3. The application is dismissed as withdrawn.

(Partha Sarthy, J)

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