

IN THE HIGH COURT OF JUDICATURE AT PATNA
CIVIL REVIEW No.298 of 2019

In
Civil Writ Jurisdiction Case No.2560 of 2017

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1. Mahendra Pandey, Son of Sri Ramdeo Pandey, Resident of Village- Choti Paithana, P.O.- Badi Paithana, Via- Islampur, Distt- Nalanda Roll No. 99200302.
 2. Kamlesh Sharma, Son of Sri Nageshwar Sharma, Resident of Village- Tarapur, P.O.-Sirnaw, P.S.-Wena, Block-Chandi, District-Nalanda, Roll No. 99200193.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Government of Bihar.
2. The Director, Secondary Education, Department of Education, Government of Bihar, Patna.
3. The Deputy Director, Secondary Education, Department of Education, Government of Bihar, Patna.
4. The Bihar Staff Selection Commission through its Secretary, P.O.-Veterinary College, Patna.
5. The Secretary, Bihar Staff Selection Commission, P.O.-Veterinary College, Patna.
6. Ramprit Thakur, Son of Late Khushi Lal Thakur, Resident of Village- Bardahi, P.O.-Bardahi, Andhara, District-Madhubani, Roll No. 99200146.
7. Anil Kumar Pandey, Son of Sri Saryug Pandey, Resident of Village-Amber, P.O. and P.S.-Biharsharif, District-Nalanda, Roll No. 99200076.
8. Jaymani Pandey, Son of Mukund dev Resident of Village- Murarpur, P.O.- Kapashibhapa, P.S.-Hilsa, District- Nalanda, Roll No. 99200258.
9. Vijay Shankar Pandey, Son of Kailash Pandey, Resident of Village- Murarpur, P.O.-Kashyama, P.S.-Hilsa, District-Nalanda, Roll No. 99200112.
10. Vivekanand Choudhary, Son of Bhola Nath Choudhary, Resident of Village- Jaiprakash Nagar, P.O.-Khagariya, P.S. and District-Khagaria, Roll No. 9200212.
11. Arun Kumar Pandit, Son of Raj Kishore Pandit, Resident of Village- Kharika, P.O.- Bhalunidham, P.S.-Natwar, District- Rohtas, Roll No. 99200053.
12. Sanjay Kumar, Son of Bhagwat Yadav, Resident of Village-Tulapatti, P.O.- Parsa, P.S.-Kishanpur, District-Supaul, Roll No. 99200150.
13. Shashi Bhushan Pandey, Son of Janardan Pandey, Resident of Village and Post-Bhagan Bigha, P.S.-Rahui, District- Nalanda, Roll No. 99200195.

... .. Opposite Party/s

Appearance :



For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr. Lalit Kishor, (Ag)
For the B.S.S.C. : Mr. Ajay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 08-05-2025 Heard the parties.

2. This is an application for review of the order which relates to the petitioners dated 16.07.2019 passed in CWJC No.2560 of 2017.

3. The petitioners along with others moved before this Court in CWJC No. 2560/2017 challenging the decision of the Staff Selection Commission (for short 'the Commission') by which the recommendation for appointment on the post of Assistant Teacher (Sanskrit) was made by letter no.211 dated 26.07.2016.

4. The matter was taken up on 16.07.2019 and the Court recorded that having not challenged the advertisement/criteria incorporated therein, they cannot later on agitate the same. So far the as the claim of petitioner no.1 is concerned, he was under physically challenged category and as such his case was allowed. The other petitioners' case including that of the petitioners herein was rejected. This order came to be passed on 16.07.2019.

5. A review petition thereafter has been filed submitting that the petitioners hold 'Acharya' Degree, which



was considered optional and not the main subject thus the number that they should have been given was denied as a result whereof they could not clear the selection criteria.

6. A counter affidavit of the respondent nos.1 and 2 is on record according to which pursuant to the advertisement no.2 of 1991, out of 100 vacancies against the post of Sanskrit teachers, 50 vacancies were for the general category candidates, in which the petitioners failed to make their way.

7. Learned counsel for the petitioners submits that advertisement shows that he should have been given the full marks for 'Acharya' subject instead of treating it as optional subject. Upon the query of the Court whether the mark-sheet shows their 'Acharya' subject as regular post or optional, the submission is that the mark-sheet has not annexed with the present petition. On further query, he submits that it was also not annexed in the writ petition.

8. Claim of the petitioners is that they should have considered his 'Acharya' degree as the main subject and not optional, however, they have not even bothered to annex the said mark-sheet to show whether the 'Acharya' subject taken by them was optional or part of their main subject.

9. In that background, this Court does not find any



error in the order passed by the writ Court. The application is ill
advised, bereft of merit and is accordingly dismissed.

(Rajiv Roy, J)

anand/-

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