

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17367 of 2024

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Veena Kumari D/o Nathuni Ram, Resident of- Manatu, near Sidharth Public School, P.S.- Chutupalu, District- Ranchi Jharkhand.

... .. Petitioner/s

Versus

1. The Bihar State University Service Commission 8th Floor, Bihar School Examination Board Academic Building, Buddh Marg, Patna- 800001 through its Secretary.
2. The Chairman, Bihar State University Service Commission, 8th Floor, Bihar School Examination Bioard Academic Building, Buddh Marg, Patna- 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shubhangi Pandey, Advocate
		Mr. Anand Vardhan, Advocate
For the Respondent/s	:	Mr. Tuhin Shankar, Advocate
		Mr. Gopal Kumar, Advocate
		Ms. Adity Sahay, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-01-2025 1. Heard learned counsel for the petitioner and learned counsel appearing on behalf of the Bihar State University Service Commission, Shri. Tuhin Shankar.

2. Learned counsel for the petitioner submits that the instant writ application has been filed for quashing the Notice No. BSUSC/विज्ञा0-42/2023 (खण्ड-15)-1754 dated 14-10-2024, whereby the petitioner's candidature for the post of Assistant Professor, History, in response of the Advertisement No. AP-HIST-08/20-21 dated 21-9-2020 (Annexure-P/1) has been rejected on the ground that petitioner had not submitted her Ph.D. five point certificate in accordance with the aforesaid



advertisement.

3. The learned counsel for the petitioner submits that the Ph.D five point certificate had to be submitted before the last date duly signed by the Registrar/Dean of the University in terms of the advertisement, but since Covid period was prevailing as such the Registrar and the Dean were not holding the office on regular basis and the last date for filing the documents in terms of the aforesaid advertisement was coming to an end as such the petitioner obtained her Ph.D five point certificate duly signed by the Vice-chancellor of the University and submitted the same. It is next submitted that the last date for submitting the application was initially prescribed as 2-11-2020 as per the advertisement which was extended to 30-12-2020 and Ph.D five point certificate duly signed by the Vice-chancellor was submitted within the time stipulated.

4. It is next submitted that Commission issued an information dated 14-10-2024 (Annexure- P/4) and from perusal of the same, it would manifest that the candidature of the petitioner came to be rejected on the ground that the Ph.D five point certificate submitted by her was not signed by the authority prescribed in the advertisement, i.e., the certificate submitted by the petitioner was not as per terms of the



advertisement. Learned counsel submits that from perusal of the Annexure-P/4 to the writ petition, it would manifest that other candidates, who also did not submit their other documents, have been granted time for submitting the document, but then the petitioner has been discriminated.

5. Learned counsel appearing on behalf of the Commission, Shri. Tuhin Shankar, vehemently rebuts the submission of the learned counsel appearing on behalf of the petitioner and submits that though submission has been made that the petitioner on account of Covid was not in a position to obtain the Ph.D five point certificate issued under the signature of the Dean/Registrar of the University as they were not coming to the office regularly, but then it is submitted that from perusal of the Ph.D certificate, it would manifest that the same was issued in the year 2017 itself as such the plea of the petitioner that in 2020 she had to obtain the aforesaid certificate under the signature of Vice-chancellor as the last date of submitting the application along with the documents were coming to an end, has been made only to take sympathy of the Court. It is next submitted that since the advertisement issued by the Commission incorporated the last date for submission of the application and the documents and Clause-4.1(II) of the



advertisement dated 21-9-2020 clearly incorporated that the Ph.D five point certificate is to be submitted under the signature of the Dean/Registrar of the University, but then the certificate submitted by the petitioner was not in terms of the advertisement as such it has been rightly rejected. It is also submitted that the selection process has been completed and the candidates have been selected and in the event if the writ application is allowed, one candidate in the category of the petitioner shall be ousted but then the petitioner has not impleaded the last candidate in her category as a respondent which further makes the writ application vulnerable.

6. The Court completely concurs with the submission of the learned counsel appearing on behalf of the Commission and finds no merit in the writ application.

7. Accordingly, the writ application is dismissed.

(Satyavrat Verma, J)

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