

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.274 of 2025

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Surendra Kumar Son of Jagdish Yadav Resident of Village-Rampur P.O.-
Bodhgaya, Bodhgaya, Bihar- 824231

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Department of Education, Government of Bihar, Patna. Old Secretariat, Patna, Bihar.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna. Old Secretariat, Patna, Bihar.
3. The Bihar State University Service Commission Patna. through its Chairman, 8th Floor, Bihar School Examination Board, Academic Building, Buddh Marg, Patna Bihar 800001.
4. The Chairman, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Building, Buddh Marg, Patna Bihar 800001.
5. The Secretary, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Building, Buddh Marg, Patna Bihar 800001.
6. The Controller of Examination, Bihar State University Service Commission, Patna, 8th Floor, Bihar School Examination Board, Academic Building, Buddh Marg, Patna Bihar 800001.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Harsh Kaushal, Advocate
For the Respondent/s	:	Mr. Madhaw Pd. Yadaw, GP 23
		Ms. Meera Singh, AC to GP 23
For the University	:	Mr. Tuhin Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-01-2025 Heard Mr. Harsh Kaushal, learned counsel appearing on behalf of the petitioner; Mr. Madhaw Pd. Yadaw, learned GP 23 and Ms. Meera Singh, learned AC to GP 23 for the State and Mr. Tuhin Shankar, learned counsel for the University.

2. Petitioner has *inter alia* prayed for following reliefs in the paragraphs No.1 of the writ petition:-



“(I) For direction upon the Respondents to correct and publish the result qua the petitioner, who has been found eligible candidate in Backward Class Category (B.C. Category) by the Bihar State University Service Commission but whose result has been declared in Unreserved category which in teeth of the reservation policy of the Government of India and the constitutional guaranteed rights and judicial precedents.

(ii) For direction upon the Respondent to keep one post of Assistant Professor of Geography subject vacant in BC category until the disposal of this Writ Application.

(iii) For direction upon the respondent to appoint the petitioner on suitable post of Assistant Professor in Geography subject pursuant to the declaration of his corrected Result under BC category, if he is found to be successful.

(iv) For directing the respondent authorities to consider the representation of the petitioner dated 16.08.2024 regarding the Objection raised by the Selection Committee, Bihar State University Service Commission, wherein and where under, despite of submission of the requisite Non-creamy layer Certificate and PHD Certificate within the stipulated time frame envisaged and contemplated by the Respondent Bihar State University Service Commission, the candidature of the petitioner has been considered in Unreserved Category in spite of BC Category.

(v) For staying the operation of appointment letter till the disposal of this Writ Application as the same if passed would prejudice the rights and livelihood of the petitioner enshrined under Article 19 and Article 21 of the Constitution of India?

(vI) To issue other appropriate writ/writs, direction/directions, order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of this case in the interest of justice, equity and fair play.”

3. Learned counsel appearing on behalf of the petitioner seeks to withdraw the present writ petition in view of the fact that he has already filed a representation dated 16.08.2024 within 18 days as per the directive of the



commission, contained in notice no.1089 dated 01.08.2024
(Annexure P/5).

4. In view of the aforesaid submission made on behalf of the petitioner, in case, the representation of the petitioner has not been disposed of then the same is directed to be considered and disposed of in accordance with law, taking into consideration that the result has already been published and selection process is already completed, so that the petitioner may not be frustrated for inaction on part of the concerned authority.

5. The writ petition is, accordingly, disposed of.

(Purnendu Singh, J)

Sanjay/-

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