

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.844 of 2025

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Vagisha Kumari Daughter of Bimal Sharma, resident of village- Korlahi,
Ward No. 44, Post- Sulindabad, P.S. - Saharsa, District- Saharsa, Pin Code-
852201.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
3. The Additional State Planning Director-Cum-In-Charge Centralized Monitoring Cell Education Department, Bihar, Patna.
4. The District Education Officer, Saharsa.
5. The District Programme Officer, Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Ashwani Kumar Tiwary, Advocate.
For the Respondent/s : Mr. Bipin Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-01-2025 Heard Mr. Ashwani Kumar Tiwary, learned counsel

appearing on behalf of the petitioner and Mr. Bipin Kumar,

learned counsel for the State.

2. Learned counsel appearing on behalf of the

petitioner seeks to implead the Controller of Examination, Bihar

Public Service Commission, Patna as respondent no.6, in course

of the day.

3. Permission is accorded.

4. The petitioner in paragraph no. 1 of the present writ

petition has sought, inter alia, following relief(s), which is

reproduced hereinafter:-



“that this is an application for issuance of a writ in the nature of mandamus for directing the respondents to allow the petitioner for counselling to join the post of teacher in Mathematics subject of class 9-10 in the Government High School for which the petitioner has been selected and allotted District Saharsa through B.P.S.C. TRE-2 through Notification No.27/2023 but due to non-reflection of her Roll Number 248086 during counselling on 28.12.2023 for the teacher of class 9-10 her counselling could not be conducted and she could not join the post of the teacher of class 9-10 and since she was also selected for the teacher of class 6-8 she joined the said post but due to the fault of digital mistake she has been deprived from joining the class 9-10 Mathematics Teacher post of higher pay scale.”

5. Learned counsel appearing on behalf of the petitioner referring to the result published by the Bihar Public Service Commission in respect of the candidates who were having requisite qualification and had fulfilled the terms and condition of appointment pursuant to the advertisement No. 27/2023 submits that the petitioner is entitled for being appointed as teacher of Class 9 & 10. The result published by the Bihar Public Service Commission has been brought on record by way of Annexure P/3. The petitioner vide Letter No.9 dated 04.01.2024 was communicated that she has been selected for Class 6 to 8 and Class 9 to 10 teacher for counselling, but in absence of her roll number being reflected on the official website, she was restrained from counselling for Class 9 to 10 in spite of she having selected by the Bihar Public Service Commission.

6. Learned counsel further informs that he has already



filed a detailed representation before the Additional Chief Secretary, Education Department for redressal of her grievance in view of the fact that she has been restrained from appearing in counselling for being appointed on the post of teacher for Class 9 - 10 on the basis of technical glitch in the official website which has not reflected the roll number of the petitioner.

7. Mr. Bipin Kumar, learned counsel appearing on behalf of the State submitted that as the petitioner has already filed a detailed representation before the Additional Chief Secretary, Education Department and the same is pending, a direction be given to dispose of the same.

8. Having considered the rival submissions made on behalf of the parties, as well as, the result published by the Bihar Public Service Commission in respect of the candidates who were found qualified for appearing in counselling for the purpose of being appointed as Class 9 - 10 teachers, the petitioner has already taken steps to lodge her grievance in light of the said important notice issued by the Bihar Public Service Commission and the requisite information has not been uploaded. The Controller of Examination, Bihar Public Service Commission is directed to submit requisite information relating to the petitioner who became successful to the Additional Chief



Secretary, Education Department, Bihar and thereafdtter the Additional Chief Secretary, Education Department must forthwith take corrective measures.

9. I find, if Bihar Public Service Commission delays in any manner, the Additional Chief Secretary, Education Department, Bihar must not delay in view of the information which shows that the petitioner is successful candidate and take all corrective measures even without the name of the petitioner is reflected on website and hold counselling so that the petitioner may not be deprived of her vital right of being appointed as per the mandate of Article 16 of the Constitution and be not discriminated.

10. Above exercise is directed to be taken in accordance with law expeditiously taking into consideration that the process has already completed in respect of publication of result.

11. The writ petition stands disposed of.

(Purnendu Singh, J)

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