

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1467 of 2022

Sonali Kumari Daughter of Shri Sanjay Prasad, Resident of Village near Gramin Bank, Tehta, P.O. Tehta, PS Makhdumpur, District - Jehanabad (804427).

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, General Administrative Department, Government of Bihar, Patna.
3. The Bihar Public Service Commission through its Chairman 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
4. The Chairman, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
5. The Secretary, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
6. The Examination Controller, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
7. Sadaf Alam, Daughter of not known to the petitioner, Resident of Not known to the petitioner, Roll No. 100072, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
8. Salma Khatoon, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 100481, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
9. Zeba Mobeen, daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 509106, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
10. Neelam Raj, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No.239122, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
11. Mehnaz Jabeen, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 349330, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
12. Maimun Nisha, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 178993, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
13. Shana Alam, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 324412, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
14. Suby Masoud, Daughter of not known to petitioner, Resident of not known to the petitioner, Roll No. 296312, through the Secretary, Bihar Public Service Commision, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.
15. Shivani Mridula, Daughter of not known to petitioner, Resident of not



known to the petitioner, Roll No. 469766, through the Secretary, Bihar Public Service Commission, 15, Jawahar Lal Nehru Marg, Bailey Road, Patna.

... .. Respondent/s

Appearance :

For the Petitioner	:	Mr. S.B.K. Mangalam, Advocate Mr. Awnish Kumar, Advocate
For the State	:	Mr. Sanjay Ghosarvey, AC to AAG-3
For the B.P.S.C.	:	Mr. Sanjay Pandey, Advocate Mr. Nishant Kr. Jha, Advocate Mr. Prabhakar Pahepuri, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 03-04-2026 Heard learned counsel for the petitioner and learned counsel for the Bihar Public Service Commission ('BPSC' in short).

2. The petitioner has filed the instant application for the following reliefs :-

"i. For issuance of an appropriate writ in the nature of MANDAMUS or any other writ in similar nature, Commanding and directing the Respondent Commission to reevaluate the answer sheet of Mains Examination of 65th Combined Competitive exam pertaining writ petitioner and after doing same, the fresh result/marks be declare for the petitioner on the ground the a bare perusal of her answer sheet would manifest that that the petitioner is sanguine about her answer sheet content and in no circumstances the marks allotted to her as per her response in her answer sheet can be justified.

ii. For Issuance of an appropriate



writ in the nature of Mandamus, commanding and directing the Respondent Commission to reserve a seat for the petitioner in case she qualifies for same after process of revaluation.

iii. For a declaration that Respondent Commission which is a constitutional body and which is responsible for selection of different civil post, it is incumbent upon them to conduct such examinations not only on regular intervals but also conduct of such examination should be carried on with much diligence and care and not only the fate of students who appear for such examination is at stake, it is the whole State itself whose affairs are managed by way of such persons who qualifies such exams.

iv. For issuance of any other appropriate writ/writs, order/orders, direction/directions for which the writ petitioner is entitled under the facts and circumstances of the case.”

3. Without going into the details of the case of the parties, it may be observed here that the case of the respondent-BPSC is that the prayer made by the petitioner for re-evaluation of the answer-sheets cannot be acceded to for the reason of there being no provision of re-evaluation but only of re-totalling.

4. Similar matters came to be decided in different cases by this Court, copies of which have been brought on record as annexure to the counter affidavit being order dated 23.2.2015 passed in CWJC no.1137 of 2014 (Prabhat Kumar vs.



The State of Bihar & Ors.) and order dated 25.4.2016 passed in LPA no.927 of 2015 (Prabhat Kumar vs. The State of Bihar & Ors.).

5. In view of the judgments enclosed with the counter affidavit and having gone through the contents thereof, in the opinion of the Court, the issue in the matter already stands concluded.

6. No relief can be granted to the petitioner and the application is dismissed.

(Partha Sarthy, J)

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