

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1690 of 2026

Dr. Ravindra Kumar Mishra Son of Late Liladhar Mishra, Resident of Village and P.O. Muraitha, P.S. Jale Via Kamtaul, Ward No.-11, District- Darbhanga.

... .. Petitioner/s

Versus

1. The Bihar State University Service Commission through the Chairman, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
2. The Chairman, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
3. The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar.
4. Gopal Kumar Jha, having UID No.GOP05041986 SAH0031154, selected at Sr. No. 6 under Unreserved Category in the merit list published dated 08.06.2024 in Sahitya Subject, through The Secretary, Bihar State University Service Commission, 8th Floor, BSEB Building (ADMIN Block), Budh Marg, Patna, Bihar 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv
For the State	:	Mr.Anjani Kumar, Adv
For the B.S.U.S.C Res 1 to 3	:	Mr.Santosh Kumar Singh, Adv

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

2 05-02-2026 Heard learned counsel for the petitioner, learned
counsel appearing for the respondent nos. 1 to 3.

2. The petitioner in the present writ application has
prayed for grant of following reliefs:-

(i) For issuance of a writ in the nature of Certiorari, quashing the final result dated 08.06.2024, contained in Notice No. B.S.U.S.C./Vig.-105/2022-534, relating to Sahitya Subject under Advertisement No. AP-SAHI-29/20-21, whereby the petitioner's 10 marks for five peer-reviewed research publications were



illegally ignored and the petitioner was arbitrarily excluded from interview and final selection is deprivation and injustice to the petitioner as well as arbitrariness on the part of the respondent Commission.

(ii) To hold and declare that the action of the authorities concerned to the respondent Commission is erroneous in denial of due 10 marks for research publications.

(iii) For issuance of a writ in the nature of Mandamus, directing the respondent authorities to declare the petitioner successful and consider him for appointment to the post of Assistant Professor (Sahitya) under Advertisement No. AP-SAHI-29/20-21 as out of 31 posts in Sahitya Subject only 30 seats has been filled by the eligible candidates and one seat in unreserved category to which the petitioner belongs is still vacant.

(iv) For grant of any other relief(s) to which the petitioner may be found entitled to in the facts and circumstances of this case.

3. At the outset, learned counsel appearing for the respondent nos. 1 to 3 objects to the maintainability of the present writ application on the ground that, for seeking the same relief, the petitioner had earlier also filed writ application vide CWJC No. 16039 of 2024 which was dismissed by a co-ordinate Bench of this Court vide order dated 11.11.2024. The order passed by the co-ordinate Bench of this Court dated



11.11.2024 in CWJC No. 16039 of 2024 is quoted herein below for needful.

“ Heard learned counsel for the petitioner, learned AC to SC-7 and the learned counsel appearing on behalf of State-University Service Commission.

Learned counsel for the petitioner, after arguing vehemently for some time, seeks permission to withdraw the writ application.

Permission is accorded.

Accordingly, the instant writ application is dismissed as withdrawn.”

4. Learned counsel for the respondent nos. 1 to 3 submits that, in the aforesaid writ application, the petitioner had argued his case and, upon failing to satisfy the Court, the petitioner prayed for withdrawing the case, which was permitted to be done by the Court. He further submits that no liberty was sought by the petitioner to file a fresh writ application and neither any liberty was granted by the Court while passing the order dated 11.11.2024.

5. In such view of the matter, learned counsel appearing for the respondent nos. 1 to 3 submits that the petitioner cannot be permitted to maintain the present writ application for seeking the same relief.

6. Learned counsel appearing for the petitioner while responding to the objection raised by the respondent nos. 1 to 3



insists on addressing this Court on the merits of the case. He further submits that, since in the first round of litigation, the case of the petitioner was not considered on merit therefore, he should be permitted to make submissions on merits of the present case.

7. Considering the submissions made by learned counsel for the parties, this Court is of the view that the present writ application is clearly not maintainable for seeking the same relief for which the petitioner had earlier come before this Court vide CWJC No. 16039 of 2024, which was dismissed as withdrawn at the request of the petitioner. It is pertinent to note that while withdrawing the writ application CWJC NO. 16029 of 2024 vide order dated 11.11.2024, the petitioner neither sought any liberty to file a fresh writ petition nor was any such liberty granted by this Court.

8. In such view of the matter, the petitioner has clearly abused the process of this Court by filing the present writ application. The insistence on the part of learned counsel appearing for the petitioner to address this Court on merit cannot, therefore, be accepted.

9. In the aforesaid circumstances, this Court is left with no other option than to dismiss the present writ application



as not maintainable with the cost of Rs. 10,000/- to be deposited
by the petitioner in Bihar State Legal Services Authority, for
repeatedly insisting to hear the case on merit.

(Alok Kumar Sinha, J)

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