

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5089 of 2026

Md. Asif Khan Son of Md. Kamaluddin Khan, Resident of village-237 K North Side, Tajpur Kurra, Police Station -Tajpur, District- Ghazipur, Uttar Pradesh.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Chief Secretary, Government of Bihar, Patna.
3. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
4. The Bihar Public Service Commission, through its Chairman, 15th Jawaharlal Nehru Marg, (Bailey Road), Patna.
5. The Chairman, Bihar Public Service Commission, 15th Jawaharlal Nehru Marg, (Bailey Road), Patna.
6. The Secretary, Bihar Public Service Commission, 15th Jawaharlal Nehru Marg, (Bailey Road), Patna.
7. The Examination Controller, Bihar Public Service Commission, 15th Jawaharlal Nehru Marg, (Bailey Road), Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Binod Kumar Singh, Advocate
For the Respondent/s	:	Ms. Deepanjali Gupta, AC to GP-10
For the BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate
		Mr. Prabhakar Pahepuri, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL JUDGMENT
Date : 06-04-2026

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar Public Service Commission.

2. The present writ petition has been filed by the petitioner with the following reliefs:

“(a) For issuance of an



appropriate writ, order or direction, particularly in the nature of Mandamus, directing the respondent authorities to immediately provide the statutory criteria/rules regarding the reservation benefits for a Divyang (PWBD) candidate belonging to other states to the petitioner, having received the benefit of the Divyang Category in the 70th BPSC Preliminary Examination, was arbitrarily debarred from the same benefit in the mains examination without any prior notice.

(b) For directing the respondents to re-evaluate the petitioner's 70th BPSC Mains Result in accordance with the prescribed Divyang Category reservation (PWBD)

(c) For directing the respondents to allow the petitioners to participate in the ongoing interview process of the 70th BPSC Exam if he is found eligible.

(d) And/or pass such other order or orders as your Lordships may deem fit and proper.”

3. Learned counsel for the petitioner submits that for the relief the petitioner has filed representation before the Chairman, Bihar Public Service Commission, on 26.02.2026 but no decision has been taken till date.



4. Learned counsel for the State, on the other hand, submits that the petitioner may be directed to file representation before respondent No.6, the Secretary, Bihar Public Service Commission.

5. In the light of the submissions made, the writ petition is disposed off directing the petitioner to file representation before respondent No.6, the Secretary, Bihar Public Service Commission and the respondent No.6, within thirty days from today and the Secretary, Bihar Public Service Commission is hereby directed to take decision on the representation of the petitioner within 60 days thereafter.

6. It is made clear that the representation shall be presented along with the order and petitioner shall be at liberty to raise all the points on which respondent No.6, the Secretary, Bihar Public Service Commission, shall pass a reasoned and speaking order.

(Dr. Anshuman, J)

Mkr./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.04.2026
Transmission Date	

