

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.10555 of 2018**

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1. Guddan Kumari, Daughter of Shri Sugendra Sharma, Resident of Village- Baijalpur, Post Office- Uphara, Police Station- Uphara, District- Aurangabad.
  2. Bhunilal, Son of Sanoj Kumar, Resident of Village- Kaler, Police Station- Kaler, District - Arwal.
  3. Munna Babu, Son of Shri Ram Kumar Sah, Resident of Village- Kermadih, Post Office- Kermadih Police Station- Kudhni, District- Muzaffarpur.
  4. Vikas Kumar, Son of Shri Shiv Kumar Das, Resident of Village- Sarmastpur, Post Office- Chowk Sarmastpur, Police Station- Sakra, District- Muzaffarpur.
  5. Praveen Kumar, Son of Shri Akil Dev Sahani, Resident of Mohalla- Shanti Nagar, Near Maz- 7, Hospital, Post Office- Purnea, Police Station- Khajanchi Hat K.Hat, District- Purnea.
  6. Sudhir Kumar, Son of Shri Ram Chandra Prasad, Resident of Village- Matihani, Post Office- Mansi, Police Station- Mansi, District- Khagadia.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department Govt. of Bihar, Patna.
3. The Chairman, Bihar Staff Selection Commission, Bihar, Patna.
4. The Secretary, Bihar Staff Selection Commission, Bihar, Patna.
5. The Director, Scheduled Castes and Scheduled Tribes, Social Welfare Department, Bihar, Patna.

... .. Respondent/s

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**Appearance :**

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| For the Petitioner/s                 | : | Mr.Umesh Kumar Mishra                |
| For the Respondent/s                 | : | Mr.Jitendra Kr. Roy No-1-Sc13        |
| For Bihar Staff Selection Commission | : | Mr. Satyam Shivam Sundaram, Advocate |

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA**  
**ORAL ORDER**

7      06-01-2026                      Heard learned counsel for the petitioner, learned counsel appearing on behalf of the respondent-State and learned counsel appearing on behalf of Bihar Staff Selection Commission.



2. With consent of the parties, the present writ application is being disposed of at this stage itself.

3. The petitioner has prayed for grant of following relief :-

*“(I) For issuance of an appropriate writ in the nature of mandamus for commanding directing the respondent authorities concerned specially the Bihar Staff Selection Commission, Patna to fix a date for recounselling for the petitioners and allow them to participate in the said recounselling, who have not appeared in the earlier fixed date of counselling i.e. 07.05.2018 and 08.05.2018 due to non communication to the petitioners against the advertisement no. 16010116 for the post of Elementary Teacher (Intermediate Trained) in Govt. Ambedkar Residential High School, in which the petitioners have been declared successful in the written part of the said examination.*

*(II) For issuance of an appropriate writ in the nature of prohibition by restraining the Bihar Staff Selection Commission, Patna to publish the final result and final selection list of Elementary Teacher (Intermediate Trained) in Govt. Ambedkar Residential High School, in which the petitioners are also entitled to be considered for counselling.*

*(III) For issuance of an appropriate writ as an alternative prayer of the petitioners to dispose of the representation of the petitioners as when petitioners came to know with regard to the counselling/ verification of documents on 07.05.2018 and 08.05.2018 belatedly on 15.05.2018, due to non communication by the Bihar Staff Selection Commission, Patna either through email, message on their mobile or call letters and as the petitioners are resident of remote areas, they do not always have the access of internet and publication in daily news paper i.e. Hindustan (Hindi Edition) they could not participate in the counselling, for which the petitioners approached*



*the Bihar Staff Selection Commission, Patna and represented on 16.05.2018 by petitioner no. 6 and other petitioners on 21.05.2018 and to some of the petitioners no receiving has been given.*

*(IV) For issuance of any other writ/writs, order/orders, direction/directions for which the petitioners would be entitled in the facts and circumstances of the present case.”*

4. After advancing some argument, learned counsel for the petitioners submits that for the aforesaid relief claimed in the present writ application, the petitioner No.1 and petitioner No.6 have already filed representation dated 16.05.2018 which continues to be pending before the Secretary, Bihar Staff Selection Commission and similarly petitioner No.4 has also filed representation dated 21.05.2018 before the same authority which also continues to be pending. He, therefore, prays that an appropriate direction could be issued to the Secretary, Bihar Staff Selection Commission to dispose of these three pending representations within a fixed time frame after giving an opportunity of hearing to the petitioner No.s. 1, 4 and 6.

5. To the aforesaid submissions made by learned counsel for the petitioners, learned counsel appearing for respondent-State as well as respondent-Bihar Staff Selection Commission do not have any objection.

6. Considering the limited nature of prayer being made by learned counsel for the petitioners, this writ application



is disposed of directing the Secretary, Bihar Staff Selection Commission to dispose of the pending representations filed by the petitioner Nos. 1, 4 and 6 within six months from the date of receipt of production of a copy of this order after giving an opportunity of hearing to the petitioners.

7. Needless to emphasize that the final order which shall be passed by the Secretary, Bihar Staff Selection Commission should be a reasoned and speaking order.

8. It is further made clear that if the petitioners are entitled to the relief as claimed in the pending representation, then the same should be extended to the petitioners within a further period of three months from the date of passing of this order against vacant post.

9. With the aforesaid observation/direction and liberty granted, the present writ application stands disposed of.

10. All pending I.A.s, if any, is deemed to have been disposed of.

**(Alok Kumar Sinha, J)**

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