

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10283 of 2025

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Sidharth Shankar Singh Son of Late Dharamdeo Singh Resident of 205,
Kamla Apartment, Visheweshraiya Nagar, Behind Ishan International Girls
School, P.S.-Rupaspur, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Govt. of Bihar, Patna.
2. The Bihar State University Service Commission, Patna through its Chairman
3. The Secretary, Bihar State University Service Commission, Patna.
4. Prof. Jawahar Lal, Presently Working as Vice Chancellor, Tilka Manjhi Bhagalpur University, Bhagalpur, Resident of Road No.5, House No.5, Rajiv Nagar, P.S.-Rajiv Nagar, District-Patna.
5. Prof. Shailendra Kumar Chaturvedi, Presently Working as Vice Chancellor, of Veer Kunwar Singh University, Ara, Resident of 303, Minara Tower, Omaxe Heights, Vidhutikhand, Gomti Nagar, Lucknow-226016.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Prashant Sinha, Adv.
For the BSUSC	:	Mr. Tuhin Shankar, Adv.
For the State	:	Mr. Rajesh Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 02-02-2026

Heard Mr. Prashant Sinha, learned Advocate for the petitioner and Mr. Tuhin Shankar, learned Advocate for the Bihar State University Service Commission. The State is represented through Mr. Rajesh Kumar, learned Advocate.

2. Before pressing the present writ petition, at the outset, learned Advocate for the petitioner made it clear that now his grievance is only confined to (i) and (vi), which reads as follows:-

“(i) For issuance of necessary



direction upon the respondent Bihar State University Service Commission to recalculate the academic performance score of the petitioner in terms of advertisement BSUSC/PRINCIPAL-01/2023 dated 15-11-2023, for the post of Principal, as the petitioner had obtained the academic performance score of 556 in terms of Table-II and Table- II (A) of the advertisement and as such, he was required to be awarded with 60 marks for his academic performance in terms of Table-III of the advertisement, but he has been awarded with only 50 marks, which resulted into downgrading of the merit position of the petitioner in the final result at serial no. 48.

vi) For necessary direction upon the respondent authorities of the Commission to revise the merit position of the petitioner in the result contained in memo no. 1072 dated 16-04-2025 after recalculation of his academic performance score and marks obtained in fresh interview conducted by an interview board comprising of independent members and allot the University to the petitioner as per his revised merit position and choice given at the time of submitting the online application.”

3. Briefly stated that on the recommendation of the Selection Committee constituted by the J.P.University, Chapra, the petitioner was appointed as Principal in the J.P.University,



and he was posted Narayan College, Goriyakothi, Siwan on 21.10.2009. Since then, the petitioner has been discharging the duty as Principal in the various colleges under the J.P.University. The petitioner also functioned as Pro-Vice Chancellor of Kameshwar Singh Darbhanga Sanskrit University from 20.08.2021 to 19.08.2024.

4. In the meanwhile, the Bihar State University Service Commission published an advertisement being numbered 01/2023 on 15.11.2023, inviting application for making appointment on the post of Principals in various constituent colleges and different Universities. The petitioner duly appeared for the interview and finally the result was declared vide letter no. 1072 dated 16.04.2025 by the Secretary of the Commission and the petitioner was declared successful in the unreserved category with its rank at serial no. 48 and accordingly posted in Lalit Narayan Mithila University, Darbhanga. The petitioner on being dissatisfied with the marks and the commensurate position awarded, got an information under Right to Information Act and thereupon he came to know that he has not been awarded the marks in terms with the stipulation of the advertisement. Hence, the present writ petition.



5. Mr. Tuhin Shankar, learned Advocate for the Commission fairly submitted that it is not the case that the petitioner has been declared unsuccessful, rather his grievance is only with respect to improper awarding of the marks in terms with the prescriptions of the advertisement. Identical issue has come up for consideration before this Court in C.W.J.C. No. 2482 of 2025, wherein the Court having taken note of the grievance of the petitioner limited to re-evaluation and scrutiny of marks, hold it to be not a matter of right. However, relegated that matter to the Commission to re-evaluate the marks obtained by the petitioner on the basis of his experience only. Further reliance has also been placed on a decision rendered by the learned Division Bench in ***Dr. Kumar Chandan vs. Indira Gandhi Institute of Medical Science & Ors., L.P.A. No. 318 of 2021*** specially wherein the Court has been pleased to hold as follows:-

“32. We are of the view that in the present case, selection committee of eight members, who were experts in the field, have assessed 22 candidates and awarded marks under different leads to each of the 22 candidates by adopting the similar criteria. It would not be open for this Court to go into detail and then to scrutinize the decision taken by the selection committee. We are of the view that



awarding of the marks under head (III) to (IX) cannot be said to be mechanical exercise or mere administrative work or clerical work of the selection committee and while awarding marks under different heads, the committee has to consider the relevant aspects. It appears that the learned Single Judge has carried out the impugned exercise as if the learned Single Judge was deciding the appeal filed by the original petitioner against the decision of the selection committee. As observed hereinabove, such as exercise of sitting in an appeal over the decision of the selection committee is not permissible. It is well settled that the scope of judicial review is very limited in these type of cases and the decision of selection committee can be interfered with only under certain circumstances as held by the Hon'ble Supreme Court. In the present case, the petitioner has not alleged any malafides, bias or favoritism on the part of the selection committee nor there is any illegality or irregularity in appointment of the selection committee and the procedure adopted by the said selection committee. Even the decision of the selection committee cannot be termed as arbitrary and, therefore, we are of the view that learned Single Judge has, by going into the detail and scrutinizing the marks, given to the petitioner and the private respondent under each



head was beyond the purview of the judicial review. Accordingly, the impugned order passed by the learned Single Judge is required to be set aside.”

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the fact that the grievance of the petitioner is only confined that the marks awarded to him is not in terms with the stipulations of the advertisement and the statute and in identical matter the learned Single Judge has relegated the matter with a liberty to the petitioner to file a detailed representation, bringing all the facts before the Commission, who is directed to consider the marks awarded afresh, this Court deems it fit and proper to dispose of the writ petition in similar terms, giving liberty to the petitioner to file a detailed representation, bringing on record all the anomalies in awarding the marks as has been mentioned in reply to rejoinder of respondent nos. 2 and 3, specially paragraph no. 7 to 10 preferably within a period of two weeks from today.

7. In case such a representation is filed, the Commission shall look into the matter and pass appropriate necessary orders.

8. In case a re-calculation would be required, the same shall also be done preferably within a further period of four



weeks’.

9. The writ petition accordingly stands disposed off.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	10.02.2026
Transmission Date	NA

