

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19250 of 2017

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1. Shantanu Saurabh and Ors Son of Sri Suresh Nandan Singh, Resident of Lane No.5, Khabra Road, Muzaffarpur- 842001, PS- Kazi Muhammadpur, Dist- Muzaffarpur.
 2. Rahul Kumar, Son of Sri Pawan Kumar, Resident of Khabara Road, Muzaffarpur, PS- Kazi Muhammadpur, Dist- Muzaffarpur.
 3. Kumari Rashmi Jaya, Wife of Sri Rakesh Gupta, Resident of Aghoriya Bazar Chowk, Muzaffarpur, PS- Kazi Muhammadpur, Dist- Muzaffarpur.
 4. Noor Jabeen, Wife of Mehdi Hassan, Resident of Village- Mirzapur Sirsiya via Kalwari, PS- Kanti, Dist- Muzaffarpur.
 5. Pushpanjali, Wife of Sri Abhishek Kumar, Resident of Basant Vihar Colony, Kolhua, PS- Ahiyapur, Dist- Muzaffarpur.
 6. Pratibha Kumari, Wife of Pankaj Kumar Misra and Daughter of Binay Kumar Jha, Resident of Muhalla- Sri Ram Nagar, Ward No.12, Dist- Muzaffarpur.

... .. Petitioner/s

Versus

1. Bihar Public Service Commission
2. The Chairman, Bihar Public Service Commissioner, Patna.
3. The Secretary, Bihar Public Service Commissioner, Patna.
4. The Joint Secretary cum Examination Controller, Bihar Public Service Commissioner, Patna.
5. BRA Bihar University, Muzaffarpur through its Registrar.
6. The Vice Chancellor, BRA Bihar University, Muzaffarpur.
7. The Registrar, BRA Bihar University, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Vaidehi Raman Prasad Singh, Advocate
For BPSC	:	Mr. Sanjay Pandey, Advocate
		Mr. Nishant Kumar Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

13 12-01-2026

Heard learned counsel for the petitioner, learned
counsel appearing for Bihar Public Service Commission and
learned counsel for BRA Bihar University.

2. The petitioner in the present writ application has



prayed for grant of following relief :-

“(i) For grant of an appropriate writ for quashing part of the notification dated 14.09.2017 of Bihar Public Service Commission (Annexure-3) whereby the petitioners have been declared ineligible to appear in the inter view of appointment to the post of Assistant Professor in History in various Universities of Bihar on the ground that they have neither cleared NET, nor they hold PhD degree as per University Grants Commission (Minimum Standards and Procedure for awards of M. Phil/ PhD Degree) Regulation, 2009 (Regulation, 2009 for short).

(ii) For grant of an appropriate writ for a direction to the respondents to allow the petitioners to appear in the interview for the post of Assistant professor in History after holding /declaring them eligible to appear in the interview for appointment of the said post.”

3. Learned counsel appearing for the Bihar Public Service Commission submits that the appointment to the post of Assistant Professor in history in various University of Bihar in pursuance of Notification dated 14.09.2014 has already taken place and henceforth the process of appointment of any remaining vacancy, if any, is to be carried out by other agency called Bihar State University Service Commission.

4. In such view of the matter, the learned counsel for the petitioner submits that the present writ application has become infructuous on account of subsequent development and it should accordingly be disposed of.

5. The aforesaid factual position is not contested by



learned counsel for the petitioner.

6. In view of the fact that appointments to the post of Assistant Professor in History in various Universities of Bihar have already taken place in pursuance of the Notification dated 14.09.2014 and third party rights have been created, the present writ application has become infructuous and, therefore, it is accordingly disposed of.

7. Pending I.A.s, if any, will automatically stand disposed of .

(Alok Kumar Sinha, J)

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