
(2013) 08 JH CK 0080

In the Jharkhand High Court

Case No : Writ Petition (S) . No. 2930 of 2013

Shishir Bodra

APPELLANT

Vs

State of Jharkhand and Others

RESPONDENT

Date of Decision : 16-08-2013

Acts Referred:

Citation : (2013) 4 AJR 424

Hon'ble Judges : Aparesh Kumar Singh, J

Bench : Single Bench

Advocate : Ritu Kumar, for the Appellant; Sanjay Piprawall and Prashant Kr. Singh, for the Respondent

Final Decision : Disposed Off

Judgement

Aparesh Kumar Singh, J.—An interlocutory application being I.A. No. 4004 of 2013 has been preferred by the petitioner for early hearing of this application in the admission matter. However, learned counsel for the petitioner submits that the writ petitioner can be disposed of at this stage with the consent of the other sides. Heard counsel for the parties.

2. Petitioner has preferred this application as the respondent-J.P.S.C. has not taken decision upon the representation preferred by him vide Annexure-6, therefore, he seeks direction upon the respondents to decide his representation in accordance with law.

3. The grievance of the petitioner is that he participated as Scheduled Tribes candidate under Advertisement No. 09/2010 for recruitment to the post of Deputy Collector through limited Deputy Collector Examination. However, according to the petitioner, the result which has been published vide Annexure-4 shows that he has been treated in unreserved category and declared unsuccessful. It is the contention of the petitioner that he would have otherwise been successful had he been treated in the reserved category to which he belong as the persons having lessor marks than him are selected and are being

appointed. In such circumstance, it is submitted that he has made representation before the respondent No. 4, Controller of Examination, J.P.S.C. for scrutinizing his results and if he is found to be falling under the Scheduled Tribes category then correct result may be declared.

4. Learned counsel for the respondent-State and the Jharkhand Public Service Commission (J.P.S.C) submitted that, the petitioner's grievance can be looked into by the competent Authority under the J.P.S.C. if he approaches the Commission by filing a fresh representation.

5. Having heard counsel for the parties and having gone through the relevant materials on record, the writ petition is disposed of without commenting upon the merit of the case by allowing the petitioner to once again prefer a fresh representation before the respondent No. 4, Controller of Examination, J.P.S.C. within two weeks together with all supporting facts and documents. On receipt of such representation, the respondent No. 4, Controller of Examination, J.P.S.C. shall verify the records of the petitioner and pass a reasoned order within period of three weeks, thereafter.

6. Needless to say, if the petitioner's result has been inadvertently declared in unreserved category and the contention of the petitioner is found to be true then the rectified result would be declared, thereafter in accordance with law. The writ petition is disposed of in the aforesaid terms. I.A. No. 4004 of 2013 also stands disposed of.