

(2013) 09 PAT CK 0110

In the Patna High Court

Case No : Civil Writ Jurisdiction Case No.18681 of 2013

Shiv Shankar

APPELLANT

Vs

State of Bihar

RESPONDENT

Date of Decision : 26-09-2013

Acts Referred:

Citation : (2013) 4 BLJud 241

Hon'ble Judges : R.M. Doshit, CJ. and Ashwani Kumar Singh, J.

Bench : Division Bench

Advocate : Mr. Indradeo Prasad, Advocate, for the Petitioner; Mr. Maruth Nath Roy, A.C. to S.C.25 Mr. S.K. Mallick, Advocate, for the Respondent-State; Mr. Lalit Kishor, Senior Advocate and Mr. Vikash Kumar, Advocate, for the Respondent-Commission

Final Decision : Disposed Off

Judgement

R.M. Doshit, C.J. (Oral) - This Petition under Article 226 of the Constitution has been filed by one of the examinees in 28th Bihar Judicial Service (Preliminary) Competitive Examination, 2012.

2. It is the grievance of the petitioner that at the time of examination on 27th July 2013, the petitioner inadvertently sat on a wrong place in the Examination Hall. Under the guise that the petitioner had been answering for some other examinee, he was not allowed to take first part of the examination. The petitioner has now made a representation to the Bihar Public Service Commission to declare his result for both parts of the examination on the basis of the marks that may be obtained by him in the second part of the examination. The representation has been made on 29th July 2013. The petitioner prays that the said representation be considered.

3. Learned advocate Mr. Vikas Kumar has appeared for the Bihar Public Service Commission. He admits that the Bihar Public Service Commission has received the aforesaid representation.

4. On the facts and in the circumstances, the Petition is allowed to the extent that the representation dated 29th July 2013 made by the writ petitioner will be considered by the respondent Bihar Public Service Commission at the time the result of preliminary examination is declared.

5. Petition stands disposed of in the above terms.