IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 4756 of 2023

Babita Tewari, D/o Ashok Tewari

------ Petitioner(s)

Versus

1.The State of Jharkhand through its Secretary, School Education and Literacy Department at HEC, P.O. & P.S.- Dhurva, District- Ranchi, Jharkhand
2. The Jharkhand Staff Selection Commission through its Secretary having its office at Chaibagan, Kalinagar, P.O. & P.S. Namkom, District Ranchi
3. The Secretary, Jharkhand Staff Selection Commission having its office at Chaibagan, Kalinagar, P.O. & P.S. Namkom, District Ranchi
4.The Controller of Examination, Jharkhand Staff Selection Commission, having its office at Chaibagan, Kalinagar, P.O. & P.S. Namkom, District- Ranchi,

------ Respondent(s)

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CORAM : SRI ANANDA SEN, J.

For the Petitioner(s) : Mr. Rahul Kumar, Advocate
For the State : Mr. Devesh Krishna, S.C. (Mines)-III
Mr. Faisal Allam, AC to S.C. (Mines)-III
For the Resp.-JSSC : Ms. Richa Sanchita, Advocate

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04 / 18.03.2025: Heard, learned counsel appearing on behalf of the petitioner, learned counsel appearing on behalf of the State and learned counsel appearing on behalf of the respondent-JSSC. All the parties have accepted that this case is covered by L.P.A. No.143 of 2024.

2. The issue in this case is covered by the judgment delivered by the Division Bench of this Court on 28.02.2025 in L.P.A. No.143 of 2024.

3. In this case, the petitioner's claim is that she had not received the personal communication for counselling thus, she could not appear in the counselling which resulted in her non-appointment.

4. The issue was considered by the Division Bench in the aforesaid case and in paragraphs 35 and 36, the Hon'ble Division Bench held as follows:-

> *"35. Admittedly, Clause 16(4)(ग)(viii) of the advertisement specifically provided for furnishing of information regarding the examination only through the website of the Commission. The appellants were fully aware of the same and they are also bound by the same. They cannot seek any relaxation of the terms and conditions of the advertisement and cannot find fault with the Commission for adhering to the said norms. When opportunity for document verification was given at least three times to each of the appellants as pointed out by the learned Single Judge, and it*

> *was not availed by them because of their own negligence in not checking the website of the Commission from time to time, they are not entitled to any relief on the basis of sympathy.*
> *36. Merely because some of the other successful candidates were informed about the dates of document verification through an advertisement or otherwise through email, parity cannot be sought as righty held by the learned Single Judge. Only a person who has enforceable right can claim parity with similarly situated persons but not otherwise."*

5. The Letters Patent Appeal, which was filed claiming personal communication and proper communication was set aside. I find that this case is squarely covered by the aforesaid judgment. This writ petition is thus dismissed in terms of order passed in L.P.A. No.143 of 2024.

(ANANDA SEN, J.)

R.S.