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No. of Ser.	Date of Order	ORDER WITH SIGNATURE	Office notes as to action (if any) taken on order
		<p>IN THE HIGH COURT OF JUDICATURE AT PATNA</p> <p>L.P.A.No. 969 of 1998</p> <p>Smt. Sushma Sharma Vrs State of Bihar & ors</p> <p>-----</p> <p>For Appellant : Mr N K P Sinha</p> <p>For B.P.S.C. : Mr Ahosk Kumar Choudhary</p> <p>-----</p> <p>4- 19.8.99 Heard counsel for the parties.</p> <p>Counsel for the Commission has brought to our notice a judgement of the Supreme Court reported in 1993(2) P.L.J.R.-134(S.C) which holds that while making appointment to a post on the basis of interview, it is open to the selecting authority to earmark 50% marks for educational qualification and remaining 50% marks for performance at the interview. The principle laid down in the said judgement has been followed by a Division Bench of this Court in a judgement reported in 1995(1) P.L.J.R-789. We, therefore, find no merit in the first submission advanced on behalf of the appellant that Bihar Public Service Commission ^{Committee on} caused error in earmarking 50% marks for educational qualifications and 50% marks for performance at the interview.</p> <p>It was then submitted by the counsel for the appellant that she was not given any weightage for her</p>	



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4- Contd.

Ph.D. qualification, to which the Bihar Public Service Commission has replied by saying that there was no such provision in the advertisement and, therefore, no candidate has been given any weightage for Ph.D. qualification.

Counsel then submitted that though the petitioner had better qualification than other candidates she was not selected. We do not know on what basis such submission is made because there is no pleading that the marks obtained by other candidates were less than the marks obtained by the appellant or ^{that} they were in any manner less qualified than the appellant.

In the circumstances, we find no merit in this appeal and the same is, accordingly, dismissed.

sd- B. P. Singh
sd- R. P. Singh

CERTIFIED TO BE TRUE COPY
for Joint Registrar (I)
Patna High Court
and n/s 76 Act I of 1877
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