

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.14939 of 2012**

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Sukhendra Ravidas, S/o Sri Jagdish Mochi, R/O Laxmi Niwas, Dopulwa Shiv  
Manir Road, Chandpur Bela, P.S.-Jakkanpur, Distt-Patna

... .. Petitioner

Versus

1. The State of Bihar
2. The Secretary, Road Construction Department, Bihar, Patna
3. The Deputy Secretary (Management Cell), Road Construction Department  
Bihar, Patna
4. The Secretary, Bihar Public Service Commission, Patna

... .. Respondents

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**Appearance :**

|                      |   |                                                                                                    |
|----------------------|---|----------------------------------------------------------------------------------------------------|
| For the Petitioner/s | : | Mr. M.K. Agrawal, Senior Advocate<br>Mr. B.K. Pathak, Advocate<br>Mr. Amresh Kumar Sinha, Advocate |
| For the State        | : | Mr. Raisul Haque, Advocate                                                                         |
| For the Intervenors  | : | Mr. P.K. Shahi, Sr. Advocate<br>Mr. Prashant Sinha, Advocate                                       |

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**CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY**

**ORAL JUDGMENT**

**Date : 22-01-2019**

Heard learned counsel for the petitioner, learned  
counsel for the State and learned counsel for the Intervenors.

2. In the present case, the petitioner is claiming the  
benefit of promotion to the post of Assistant Engineer from the  
post of Junior Engineer on the strength of degree of B. Tech.  
secured by the petitioner from J.R.N. Rajasthan Vidyapeeth  
University, Udaipur, Rajasthan through distance education.

3. The status of degree of B. Tech. conferred by the  
J.R. N. Rajasthan Vidyapeeth University, Udaipur, Rajasthan,



was under consideration in the case of *Orissa Lift Irrigation Corporation Limited vs. Rabi Sankar Patro and Ors.* reported in *(2018) 1 SCC 468*, there the Hon'ble Supreme Court in paragraph no.48 of the said decision has held that such degrees of B. Tech. cannot be recognized as a valid degree and accordingly, cancelled the same.

4. In the present case, the petitioner is claiming the benefit of promotion on the strength of the degree secured from J.R.N. Rajasthan Vidyapeeth University, which has no value in the eye of law, certainly he cannot claim any promotional avenue to the post of Assistant Engineer on the basis of the degree issued by the said University.

5. In such view of the matter, this Court is of the view that the petitioner has failed to make out a case in his favour and this Court cannot grant any relief to the petitioner for consideration of his promotion to the next post of Assistant Engineer. However, if any person is holding such class of degree, which are also covered by the Supreme Court judgment and also in an identical manner, in that circumstance, the same treatment, as has been given to the present petitioner, be also given to him. The status quo in the matter of promotion to the next level post of Assistant Engineer stands recalled. The



Government can proceed for promotion to the post of Assistant Engineer with respect to eligible candidates.

6. With the aforesaid observations and directions, this writ petition is disposed of.

**(Shivaji Pandey, J)**

pawan/-

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