

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.266 of 2024

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Rishikesh Kumar Son of Prashant Kumar Sah Resident of Village- Laukahi,
PS- Laukahi, Dist.- Madhubani, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Through the Addl. Chief Secretary, Education Department, Govt. of Bihar at Patna, Bihar
2. The Chairman, Bihar Public Service Commission at Patna.
3. The Secretary, Bihar Public Service Commission at Patna.
4. The Examiner Controller, Bihar Public Service Commission at Patna.
5. The Chairman A.I.C.T.E, head office at New Delhi.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Niraj Kumar Singh, Adv.
For the State	:	Mr.Anil Kumar Singh, G.P.26
For the BPSC	:	Mr.Sanjay Pandey, Adv.
		Mr.Nishant Kumar Jha, Adv.
For the AICTE	:	Ms.Archana, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 15-03-2024

Heard learned counsel for the petitioner and learned
counsel for the respondents.

2. The present writ application has been filed for the
following relief/s:-

*(a) For directing respondent authorities to
allow petitioner to join the post of teacher without
any hindrance.*

*(b) For directing the respondent no.5 to
answer if the petitioner's college was
affiliated/approved by A.I.C.T.E. during his
session.*



(c) For issue any other order/orders, writ/writs, direction/directions which petitioner is found entitled in the fact and circumstances of this application.”

3. The short fact of the case is that the petitioner has applied for the post of Computer Teacher against 2172 posts, which has been advertised pursuant to advertisement no.-26 of 2023 of the BPSC. The examination was held on 25.08.2023 and 26.08.2023 and the result was declared on 21.10.2023, in which, the petitioner was declared qualified under the E.B.C. Category. Thereafter, he was called for his document verification on 24.10.2023 where he appeared but after the document verification, he was informed that he was not eligible because his college was affiliated by a foreign University but no rule was shown to him regarding the same and his eligibility was denied orally.

4. Learned counsel for the petitioner submits that the petitioner has filed a detailed representation before the Secretary, Education Department, Government of Bihar dated 26.10.2023. The petitioner has got several undertakings from his college in which it was stated by the college that it is duly approved by A.I.C.T.E., Ministry of H.R.D, Government of India. It is submitted that aggrieved by the non-redressal of his



grievance, the petitioner has approached this Court.

5. Considering that the representation of the petitioner is already pending before the Education Department, I direct the Additional Chief Secretary, Education Department, Government of Bihar to pass a reasoned and speaking order by considering the representation of the petitioner and after giving proper chance of hearing to the petitioner or his counsel, personally, within a period of eight weeks from the date of receipt of this order.

6. Needless to say that if the order is not passed within the stipulated period, the Additional Chief Secretary, Education Department, Government of Bihar shall be personally held responsible for non-compliance of the order of this Court.

7. With the aforesaid direction, this writ application is disposed of.

(Anjani Kumar Sharan, J)

pallavi/-

AFR/NAFR	NAFR
CAV DATE	N.A.
Uploading Date	19.03.2024
Transmission Date	N.A.

