

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10859 of 2016

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Aniraj S/o Sri Ashok Kumar C/o Dinesh Prasad Annie Besant Raod, Opp.
Patna College, Ashok Rajpath, Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, General Administration Department, Bihar, Patna.
3. The Joint Secretary, General Administration Department, Bihar, Patna.
4. The Additional Secretary, General Administration Department, Bihar, Patna.
5. The Director General Bihar State Sports Authority, Patna.
6. The District Magistrate, Vaishali at Hajipur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vasant Kumar Choudhary, Sr. Advocate Mr. Atul Kumar Mehta, Advocate Ms. Sushmita Singh, Advocate
For the Respondent/s	:	Mr. Kumar Priya Ranjan, SC-23

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 15-07-2025

Heard learned Sr. Counsel for the petitioner and
learned counsel for the State.

2. The petitioner has filed the present writ petition seeking correction in Letter No. 8051 dated 04.06.2015, which was issued and sent by respondent no. 4 to respondent no. 2 and others. The grievance of the petitioner is that, insofar as he is concerned, his name along with others was recommended for appointment to a Group 'D' post in the office of respondent no. 6 on the basis of his outstanding performance as a Table Tennis



player representing the State of Bihar. However, in the said letter, his educational qualification was incorrectly recorded as “Matric” (matriculation), whereas his actual qualification is “Intermediate.”

3. Learned Senior Counsel for the petitioner submits that the petitioner’s entitlement for appointment arose by virtue of Notification dated 18th December 2009, issued under the rules framed as the *Bihar Outstanding Players Appointment Schedule, 2009*. He further submits that at the time of appointment, the petitioner possessed the educational qualification of Intermediate; however, despite this, he was appointed to a Group 'D' post instead of a Group 'C' post, for which he was eligible. Learned Senior Counsel refers to the counter affidavit dated 18.08.2016 filed on behalf of respondents no. 1 to 4, wherein, in paragraph 7, it is admitted that during verification of candidates' certificates, the petitioner's academic qualification was recorded as I.A. instead of Matriculation. It is further stated therein that the petitioner had enclosed a 10+2 marksheet with his application.

4. Learned Senior Counsel further submits that in the supplementary counter affidavit dated 09.02.2023 filed on behalf of respondents no. 1 to 4, the State Government has taken



the stand that prior to the advertisement dated 02.04.2011, the Finance Department, vide Resolution Memo No. 2937 dated 31.03.2011, had decided that passing the 10th class examination would be mandatory for appointment to Group 'D' posts. However, despite such a decision by the Finance Department, the General Administration Department did not publish a revised advertisement in accordance with the new qualification criteria. He further submits that under General Administration Department Notification No. 5046 dated 11.04.2014, the minimum educational qualification for recruitment to the clerical cadre of the Bihar Secretariat Service was revised from Matriculation to Intermediate under the *Bihar Secretariat Service (Recruitment) (Amendment) Rules, 2014*. It has also been stated in the counter affidavit that, in view of the aforesaid rules, the prescribed educational qualification for appointment to Group 'C' posts is Intermediate or equivalent, not Matriculation.

5. Learned Senior Counsel further submits that, in light of the stand taken by the State in both the counter affidavit and the supplementary counter affidavit, it becomes evident that the prescribed qualification for appointment to Group 'C' posts is Intermediate. He further refers to Annexure-5 to the writ



petition, which is a representation dated 08.06.2015 submitted by the petitioner before the Principal Secretary, General Administration Department, Government of Bihar. In the said representation, the petitioner has clearly stated that he possesses an Intermediate qualification and is therefore entitled to be appointed to a Group 'C' post. However, despite the submission of the said representation, no decision has been taken by the Principal Secretary, General Administration Department, Government of Bihar till date.

6. Learned counsel for the State submits that appointments were made in accordance with the rules framed for candidates recognized as outstanding players in their respective fields. He further submits that candidates possessing the qualification of Intermediate are entitled to be considered for appointment to *Group 'C'* posts.

7. In light of the submissions made and upon perusal of the records, it transpires to this Court that the petitioner, in his representation, has clearly stated that he possesses the qualification of Intermediate. Despite this, the authorities did not consider his case for appointment to a *Group 'C'* post and, instead, appointed him to a *Group 'D'* post.

8. Considering the facts and circumstances of the



case, this Court directs the Principal Secretary, General Administration Department, Government of Bihar, to pass a reasoned order on the petitioner's representation (Annexure-5) within *90 days* from the date of submission of a certified copy of this order. It is clarified that the State Government's stand, as reflected in the counter affidavits, is that candidates possessing the qualification of Intermediate are eligible for appointment to *Group 'C'* posts. Since the petitioner has consistently claimed that he possessed the Intermediate qualification at the time of recruitment, the Principal Secretary is at liberty to verify the petitioner's documents. If it is found that the petitioner did, in fact, possess the Intermediate qualification as on the relevant date, appropriate relief shall be granted by considering his case for appointment to a *Group 'C'* post in accordance with law.

9. With the aforesaid observations and directions, the writ petition stands allowed.

(Dr. Anshuman, J)

Ashwini/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	17/07/2025
Transmission Date	NA

