

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.4106 of 2022**

Chintamani Mandal Assistant Professor (Contract), Deptt. of C.S.E. Katihar Engg. College, Katihar, Gender-Male, Aged about-52 Years, S/o-Late Govind Mandal, Resident of Village and P.O.-Fulkiya, P.S.-Ismailpur, Distt.-Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secreary, Department of Science and Technology, Bihar, Patna.
2. The Principal Secrerary Department of General Administrative, BIhar, Patna.
3. The Director, Department of Seience and Technology, Bihar, Patna.
4. The Joint Secrerary, Department of Science and Technology, Bihar, Patna.
5. The Special Secretary of Government, Department of Science and Technology, Bihar, Patna.

... .. Respondent/s

**Appearance :**

|                      |   |                                 |
|----------------------|---|---------------------------------|
| For the Petitioner/s | : | Mr. Ram Sandesh Roy, Advocate   |
| For the State        | : | Mr. Kumar Alok, SC-7            |
|                      |   | Mr. Prem Ranjan Raj, AC to SC-7 |

**CORAM: HONOURABLE MR. JUSTICE NANI TAGIA**  
**ORAL ORDER**

9      15-09-2025                      Heard Mr. Ram Sandesh Roy, learned counsel appearing on behalf of the petitioner and Mr. Prem Ranjan Raj, learned AC to SC-7 appearing on behalf of the State.

2. The petitioner is aggrieved by the order dated 16.01.2020 issued by the Joint Secretary, Department of Science and Technology, vide B. Pra.(1) Wa<sup>2</sup> -06/2013-Part – 1/161/Patna, whereby, the petitioner's appointment as Assistant Professor on contract basis has not been extended on the ground that the petitioner does not possess M.E./M.Tech degree.



3. The petitioner was appointed as Assistant Professor on contract basis for a period of one year in 2007 which was extended by the authorities for a period of one year each till the impugned order has been issued. The petitioner is a 1<sup>st</sup> Class Bachelor of Engineering degree holder. His appointment in the year 2007 was made on the basis of the 1<sup>st</sup> Class Bachelor of Engineering degree possessed by the petitioner as, according to the petitioner, the education qualification required under the relevant AICTE Regulation, in force at the time the petitioner was appointed as Assistant Professor in Engineering College, was Bachelor's Degree.

4. Respondents have filed a counter affidavit, wherein, it has been stated that the new AICTE Regulation 2019 have come into force, under which the minimum educational qualification required for appointment as Assistant Professor in the Engineering College is the Master of Engineering or Master of Technology. In view thereof, since the petitioner does not possess the Master degree in Engineering, the contractual appointment of the petitioner has not been extended/renewed by the respondent authorities.

5. The petitioner does not deny the fact that he does not possess Masters Degree in Engineering or Technology.



6. Admittedly, the petitioner does not possess Masters degree in Engineering as required under the new AICTE Regulation 2019.

7. Since possession of a minimum education qualification prescribed under the relevant statutes in force is a pre-condition for appointment in any post and in the instant case the minimum education qualification required for appointment as an Assistant Professor as per the new AICTE Regulation, 2019 is the Master Degree in Engineering/M.Tech, which the petitioner admittedly does not possess, I do not find any illegality in the action of the respondent authorities in not extending the contract service of the petitioner as Assistant Professor for not possessing the required educational qualification as per the new AICTE Regulation, 2019.

8. In that view of the matter, the writ petition fails and the same stands dismissed.

**(Nani Tagia, J)**

Nilmani/-

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