

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4102 of 2025

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1. Manohar Manjhi S/o Saheju Manjhi, R/o- Sawanahi Jagdish, P.O. and P.S.- Bathuwa Bazar, Gopalganj, Bathubazar, Bihar, 841425.
 2. Shusmita Kumari W/o- Mithlesh Kumar Ojha, R/o- P.O- Semariya, P.S.- Shahpur, Semariya Patli Ojha, Bhojpur, Bihar- 802165.
 3. Md. Sameer Alam S/o- Abdul Sattar, R/o Village- Choti Chilmara, Choti Chilmara, Jama Masjid P.S.- Sirnia, District- Katihar, Bihar-854103.
 4. Sonu Kumar S/o Upendra Sharma, R/o- Kab Kab, P.S.- Dulhin Bazar/ Raniya Talab, District- Patna, Bihar-801104.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, General Administration Department, Government of Bihar, Patna.
3. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
4. The Bihar Technical Service Commission, through its Secretary, 19, Harding Road, Patna.
5. The Chairman, Bihar Technical Service Commission (in short BTSC), 19, Harding Road, Patna.
6. The Om Prakash Jogendra Singh University (O.P.J.S. University), Chiru, Rajasthan.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Advocate
For the Respondent/s : Dr. Raisul Haque, SC-10

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER



2 18-03-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the State and Learned Counsel for the Bihar Technical Service Commission.

2. The present writ petition has been filed for quashing the Commission's remark, which is Annexure-P/1, issued on the portal of each petitioner by the Bihar Technical Service Commission (hereinafter referred to as the 'BTSC') with regard to Advertisement No.01/2019 issued for all these petitioners, who had been called for counseling by BTSC on 29th November, 2024 and on 30th November, 2024.

3. Learned Counsel for the petitioners submits that the petitioners have completed their Diploma in Civil Engineering from the OPJS University, Churu, Rajasthan. The BTSC without receiving the verification has rejected the candidature of the petitioners on the grounds mentioned in Annexure-P/1. He submits that the decision of the Commission is not in accordance with law and submits that he ought to withdraw the said remarks as such type of remark is acceptable only when the proper verification has been received from the said OPJS University, Churu, Rajasthan.

4. Learned Counsel for the BTSC, on the other hand, submits that the Commission is a public body and the authorities



of the Commission have made this remark which is as follows: -

GINEER (CIVIL))

Annexure- P/1

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Registration No :	BR00150010113835	
Applicant Name :	MANOHAR MANJHI	
Father's Name :	SAHEJU MANJHI	
Date of Birth :	15-04-1991	
Gender :	Male	
Category :	SC - Scheduled Caste	
Dependent of Freedom Fighter :	No	
Marks of Essential Qualification	Marks of Work Experience	कुल
64.8480	0.0000	0.0000
Commission's remarks :	Disqualified:-जॉय दल के द्वारा समर्थित जॉय प्रतिवेदन,रिकॉर्ड रूम में वर्ष-2019 के लगे आग में सम्पूर्ण रिकॉर्ड जल जाने के कारण OPJS विश्वविद्यालय द्वारा अभ्यर्थियों के प्रमाण-पत्रों के सत्यापन नहीं किए जाने , परन्तु वर्ष-2019 के बाद अभ्यर्थियों को Diploma in Engineering का मूल/अंतिम प्रमाण-पत्र बिना रिकॉर्ड के प्रदान किए जाने एवं फर्जी डिग्री प्रदान करने के आरोप में विश्वविद्यालय के प्रबंधन/संस्थापक के विरुद्ध राजस्थान पुलिस के SOG के द्वारा की जा रही कार्रवाई की सूचना /समाचार के आधार पर विज्ञापन सं०- 01/2019 (कनीय अभिरक्षा) के अन्तर्गत आवेदन करने वाले OPJS विश्वविद्यालय ,जुलू,राजस्थान से संबंधित अभ्यर्थियों के Diploma in Engineering को अमान्य कर दिया गया है।	
क्या आप आपत्ति दर्ज करना चाहते हैं ?		
यदि नहीं ☒ यदि हाँ ☐		
अपनी आपत्ति यहां दर्ज करें दर्ज की गई आपत्ति हेतु(Supporting Documents)दस्तावेजों को य		
☒ मेरे द्वारा उपरोक्त आपत्ति दर्ज एवं उससे सम्बंधित दस्तावेज अपलोड किया गया है।		

Counsel submits that since the degree of Diploma in Civil Engineering has been declared illegal/not valid, then in that case the Commission is not ready to accept the candidature of the petitioners.



5. Upon the specific query from the petitioners on the said remark that what are the petitioners' stand on the said remark. Counsel for the petitioners has not made any denial on the said remark rather he came forward with the pleading that Commission is not entitled to make such remark.

6. This Court, at this juncture, cannot accept the pleading of the petitioners, more particularly, when a public office has made a particular remark/ground for rejection of the candidature of the petitioners. In view of this Court, the only option left to the petitioners is to verify the truthfulness of the said remark and, then, come forward to this Court. Therefore, at this juncture, this Court is of the firm opinion that there is no need of any interference by virtue of entertaining the writ petition. Accordingly, the writ petition stands dismissed.

(Dr. Anshuman, J)

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