

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10508 of 2024

1. Abdus Salam Son of Late Mujiburrahman, resident of village - Phoolban, P.O. - Tulshia, P.S. - Bahadurganj, District - Kishanganj.
2. Shayaque Alam, Son of Late Tahir Hussain, resident of village - Bairagpur, P.O. - Sontha, P.S. - Kochadhaman, District - Kishanganj.

... .. Petitioner/s

Versus

1. The Union of India through the ministry of Human Resources Development Department, Government of India, New Delhi.
2. The Secretary Human Resources Development Department, Government of India, New Delhi.
3. The Central Board of Secondary Education, Shiksha Kendra- 2, Community Centre, Preet Vihar, Delhi through the Director.
4. The Navoday Vidyalaya Samiti, B- 15, Institutional Area, Sector - 62, Noida (Uttar Pradesh) through the Commissioner.
5. The Deputy Commissioner, Navoday Vidyalaya Samiti, Regional Office, Karpoori Thakur Sadan, Central Official Campus, Block- A and B, 5th Floor, Ashiana Digha Road, Patna.
6. The Principal, Jawahar Navoday Vidyalaya, Motihari, Kishanganj, District - Kishanganj.
7. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
8. The Additional Chief Secretary, Department of Welfare, Government of Bihar, Patna.
9. The District Magistrate, Kishanganj, District - Kishanganj.
10. The Sub-Divisional Officer, Kishanganj, District - Kishanganj.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Awnish Kumar
For the Respondent/s	:	Mr. Additional Solicitor General
For the Respondent No.3:		Mr. Vinay Krishna Tripathy
For the Respondent No.4 to 6:		Mr. Siddharth Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-02-2025 Heard learned counsels for the parties.

2. Learned counsel for the petitioners submits that the petitioners have approached this Court for the following reliefs:-



(i) For directing the respondent no.10 for grant of caste certificate of OBC in favour of the wards of the petitioners, who have been selected for their submission in Jawahar Navoday Vidyalaya, Motihari, Kishanganj under the Backward Category as was being granted to the applicants of Suryapuri Muslim Caste for the purposes of their admission in the same institution i.e. Jawahar Navoday Vidyalaya, Motihari, Kishanganj.

(ii) For directing the respondent no.6 for provisional admission of petitioners' wards in his Institution in Class-6, according to their success in the competitive examination for admission in Jawahar Navoday Vidyalaya and allow them to attend their classes subject to the final outcome of the writ petition or issuance of caste certificate of Other Backward Classes in favour of the petitioners' ward by the respondent no.10 whichever is earlier.

(iii) For any other direction for which the petitioners may be found entitled to in the facts and circumstances of the case.

3. A supplementary counter affidavit has been filed on behalf of the respondent nos.4 to 6. It has been stated the petitioners' ward applied for admission to JNV (Kishanganj, Bihar) under the EWS/OBC (Rural) category for boys and girls, respectively. They were provisionally shortlisted based on their performance in the JNVST. However, during the document verification process, as per clause 3.1 of the JNVST, they were unable to provide the requisite OBC certificate from the Central List.

4. It is submitted on behalf of the respondents that as per



clause 3.6 of the JNVST prospectus, candidates selected under the OBC category are required to produce a valid OBC certificate as per the Central List at the time of admission. Since the petitioners' wards failed to provide the necessary OBC certificate as per central list in the prescribed format as mandated by the Central Government, signed by the competent authority, their provisional admission was rightly cancelled.

5. As per the prospectus, *“Candidates belonging to the Scheduled Caste (SC), Scheduled Tribe(ST) and Other Backward Class (OBC) will have to produce a certificate of Scheduled Caste/Scheduled Tribe/OBC at the time of seeking admission, if provisionally selected. The candidates provisionally selected under OBC quota have to submit OBC certificate as per prescribed format of Central List. Such certificate should be obtained from the competent authority well in advance, so that it may be submitted to the Principal of JNV concerned at the time of verification of document.”*

6. It is lastly submitted that petitioners provided inaccurate information regarding their wards' caste status to secure provisional admission under the OBC category, despite their caste not being listed in the Central OBC list. As they failed to produce the required OBC certificate, their provisional



admissions were cancelled in accordance with claused 3.1 and 3.6 of the notification-cum-prospectus for Class VI JNVST, 2024.

7. Considering the arguments advanced on behalf of the parties, as the petitioners’ ward failed to submit the OBC certificate as per prescribed format of Central List, I do not find any merit in the present writ application. It is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

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