

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17900 of 2025

1. Prem Kumar S/o Sri Tulsi Singh, resident of Village- Basgitiya, Jamorhi, P.S.- Bikram Ganj District- Rohtas (Sasaram).
2. Vikash Kumar S/o Sri Lal Bahadur Singh, resident of Village- Ibrahim Nagar, Ara, P.S.- Ara Town, Distt- Bhojpur.
3. Anil Yadav S/o Sri Ramkewal Yadav, resident of Village- Bandhaur Ghat, P.S.- Bijaipur, Distt- Gopalganj.
4. Pawan Kumar Tiwari S/o Sri Ishwar Tiwari, Resident of Village- Mishra Ke Gauri, P.S. Siwan Town, Distt- Siwan.
5. Abhishek Kumar S/o Manoj Kumar resident of Village- Dhangai Bikram Ganj, P.S.- Bikram Ganj, Distt-Rohtas Sasaram.
6. Tabrez Alam S/o Sri Abid Shah, resident of Village- Ashi, Ghanshyampur, P.S.- Asi, Distt- Darbhanga.
7. Rahul Kumar S/o Sri Birendra Mohan Sinha, resident of Village- Karman Tola Ara, P.S.- Ara, Distt- Bhojpur.
8. Prince Kumar Singh S/o Sri Dharmendra Kumar Singh, resident of Village- Sarathua, P.S.- Sarathua, Distt- Bhojpur.
9. Md. Manzer Khalid S/o Md. Nasimuddin R/o village- Madanpur Chand Bhagh, P.S.- Araria, Distt- Araria.
10. Abhishek Kumar S/o Sri Gaya Prasad Resident of Village- Sirsiya, P.S.- Damodarpur, Distt- East -Champanan.
11. Mamta Kumari D/o Sri Jay Ram Pal, resident of Village- Rampur P.S.- Bhabhua, Distt- Kaimur.
12. Rajeev Ranjan Singh S/o Suresh Singh, resident of Village- Chor pokhar English P.S.- Bharsara Distt-Rohtas (Sasaram).
13. Pavan Kumar Mishra S/o Dilip Mishra, resident of Village- Tamkura P.S.- Meghra Distt- Araria.
14. Md. Ali Reza S/o Md. Mustaque Ahamd Resident of Village- Samaul Shahpur PS- Korlahi Mansingh Distt- Sitamarhi.
15. Vinod Kumar Singh S/o Romaji Singh Resident of Village Koila Deva P.S.- Phulwaria Distt- Gopalganj.
16. Chintu Kumar S/o Ramchandra Prasad resident of Village- Bela Shankar, Lal Bagh P.S.- Lal Bagh, Distt- Darbhanga.
17. Govind Kumar Poddar S/o Ram Bahadur Poddar, resident of Village- Singhiya, P.S.- Jagannathpur Distt- Darbhanga.
18. Pradeep Kumar S/o Bishundeo Thakur Resident of Village- Khajuri, P.S.- Banjari, Distt- Rohtas.
19. Rohit Kumar S/o Amarendra Kumar Ojha resident of Village- Godhana Road Gautambudh Nagar P.S.- Ara, Distt- Bhojpur.
20. Manish Kumar S/o Sri Pawan Sutihaar, resident of Village- Khonha, P.S.- Satar Kataiya, Distt- Saharsa



... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Higher Education, Government of Bihar, Vikash Bhawan, Patna.
2. The Chairman, Bihar School Examination Board, Budh Marg, Patna.
3. The Secretary, Bihar School Examination Board, Budh Marg, Patna.
4. The Controller of Examination (vividh) Bihar School Examination Board, Budh Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Prasad
For the Respondent/s : Mr. P.K. Shahi, Senior Adv.
Mr. Gyan Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 11-11-2025

Heard Mr. Ajay Kumar Prasad, learned Advocate for the petitioners, and Mr. P.K. Shahi, learned Senior Advocate, along with Mr. Gyan Shankar, learned Advocate for the Bihar School Examination Board.

2. A batch of the applicants of upcoming State Teachers Eligibility Test, 2025, (in short STET) examination have approached this Court on being aggrieved with the action of the respondents against the cancellation of their admit cards dated 15.10.2025, communicated through e-mail by the Bihar School Examination Board, without giving an opportunity to the petitioners to be heard; besides the order of cancellation of the previous admit card being arbitrary and in the teeth of the terms and conditions, contained in the Employment Notice No. PR



218/2025 dated 09.09.2025. The petitioners further sought a direction to allow them to appear in the examination of STET, 2025, in pursuance to the admit cards issued to them for appearing in the examination, on the scheduled dates and time mentioned therein.

3. Briefly stated that in pursuance to the captioned employment notice dated 09.09.2025, the petitioners, who have been possessing dual qualification in two different and distinct subjects, applied two online application forms for 2 different and distinct subjects to appear in the STET, 2025 after payment of requisite fee for registration. On being found eligible, the petitioners were duly registered, and consequently, they were issued two admit cards for two different and distinct subjects, allotting their roll numbers. Notwithstanding the aforesaid facts, all of a sudden, on 15.10.2025, the respondents have cancelled their earlier admit cards issued to them, informing them since petitioners have applied more than once, so only their latest application forms shall be considered, and earlier application forms and consequent admit cards deemed to be cancelled.

4. The learned Advocate for the petitioners contended with all vehemence that the action of the respondents cannot be sustained in the eye of law. The captioned employment notice in



relation to STET, 2025 is nothing, but an eligibility test for appointment against the post of teachers. The petitioners having possessed dual qualification in two different and distinct subjects, they cannot be debarred from appearing in the STET, 2025 from the different subjects, as it would amount to curtailing the right and entitlement of the petitioner. It is further contended that the impugned communication by the respondent Board, cancelling the earlier application and consequent admit card, is in complete disregard to the terms of the advertisement, inasmuch as, on being found, eligible, the two admit cards were issued to the petitioners for appearing in two distinct subjects. Hence, the earlier application and consequent admit card cannot be cancelled without any notice or opportunity to the petitioner.

5. On the other hand, Mr. P.K. Shahi, learned Senior Advocate, representing the Board, refuting the aforesaid contention, and submitted that the present writ petition is wholly misconceived and uncalled for. The relevant stipulations in the captioned advertisement, specially clause 18 thereof, clearly stipulates that any incomplete application, or more than one application, filed by any applicant, shall be cancelled. However, the respondent Board shown magnanimity and took a lenient view in the interest of candidate, and once they came to know



that some of the candidates have submitted more than one application, they considered the latest application, and rejected the old one. Hence, in his submission, there is no fault on the part of the concerned respondent Board. The advertisement unequivocally stipulates that the candidate can select only one of the subject of the graduation level for appearing in the STET examination, hence, there is apparent wrong committed by the candidates, however, considering their future career aspect, the Board has taken a decision to cancel their earlier application and consequent admit card in the interest of justice.

6. This Court having heard the learned Advocates for the respective parties and also perused the captioned advertisement. The relevant clause as referred, hereinabove, clearly speaks that an incomplete application filed by an applicant or in case more than one application is received, in such circumstances, the application shall be outrightly rejected/cancelled. Once the consequence is already prescribed in case of any eventualities, the candidate cannot be allowed to take a plea that ignoring the terms and condition, he may be allowed to appear in two distinct and different subjects, only because having possessing the dual qualifications.

7. Time without number the Hon'ble Supreme Court



ruled that the terms and conditions of the advertisement as also the instruction issued by a recruiting agency are mandatory having the force of law and they have to be strictly complied with. Strict adherence to the terms and conditions or the instructions is of paramount importance. The High Court in exercise of power under Article 226 of the Constitution cannot modify/relax the instructions issued by the Commission. Reliance may be taken to a decision rendered by the Apex Court in the case of state of *Tamil Nadu & Others vs. G Hemalathaa & Anr, (2020) 19 SCC 430*.

8. In view of the aforesaid settled position and the specific stipulation in the advertisement, which clearly prohibits entertainment of two applications by a candidate, and in case a candidate files two applications, it leads to cancellation of the applications.

9. This Court does not find any merit in the writ petition, accordingly the same stands dismissed.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	18.11.2025
Transmission Date	NA

