

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1712 of 2025

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Anand Mohan S/o Krishna Kumar Prasad Village-Rajoura, P.S-Barbigha,
District- Sheikhpura, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Agriculture Department, Bihar, Patna.
3. The Bihar Animal Sciences University, Bihar Veterinary College Campus,
Patna through its Vice-Chancellor.
4. The Vice-Chancellor, Bihar Animal Sciences University, Bihar Veterinary
College Campus, Patna.
5. The Registrar, Bihar Animal Sciences University, Bihar Veterinary College
Campus, Patna
6. The Assistant Registrar (Recruitment), Bihar Animal Sciences University,
Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Vaibhav Narayan, Adv. Mr. Amaresh Kumar Sinha, Adv. Mr. Aakash Choudhary, Adv. Ms. Deeksha, Adv.
For the University	:	Mr. Anjani Kumar, Sr. Adv. Mr. Alok Kumar Rahi, Adv.
For the State	:	Mr. Anil Kumar Singh, GP-26

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 13-07-2026

Heard learned Advocate for the respective parties.

2. The petitioner has invoked the extra ordinary writ
jurisdiction of this Court for the following reliefs:-

*“1. That this Writ Application
is being filed praying issuance of
appropriate Order/Direction(s)/Writ(s)*



upon the concerned Respondent(s) to consider the candidature of the Petitioner and appoint him to the post of Associate Professor in the Department of Veterinary Medicine (Unreserved) at College of Veterinary and Animal Sciences, Kishanganj or Associate Professor (Veterinary Medicine) in the Department of Veterinary Clinical Complex(VCC) (Unreserved and Backward Class) at Bihar Veterinary College, Patna (depending upon the prevailing vacancy) in terms of Advertisement dated 25.10.2023 under "Special Drive for Unfilled Posts of Veterinary Faculty" in Employment Notice No.06/2023 dated 27.10.2023 floated by Bihar Animal Science University, Patna, as the Petitioner fulfils all the eligibility criteria and possesses the required qualifications for the said post in terms of the employment notice but has been denied an opportunity to even appear in the interview conducted for the said appointment without any final reasoned Order to this effect along with any cogent and legal basis whatsoever amounts to arbitrary, unreasonable and discriminatory action and in complete violation of articles 14, 16(1) and 21 of the Constitution of India.

1A. That this Application is further filed seeking to call for the appointment records of the other similarly placed candidates who have been appointed under Employment No.06/2023 dated 27.10.2023 floated by Bihar Animal Science University, Patna.

1B. That this Writ is further being filed seeking any other relief(s) that the Petitioner may be entitled to as deemed fit by this Hon'ble Court."



3. The brief facts as narrated in the writ petition are while the petitioner was working as an Assistant Professor, at the Department of Veterinary Clinical Complex, College of Veterinary & Animal Sciences, Kishanganj, Bihar employed by the Registrar, Bihar Animal Sciences University, Patna an Advertisement has been published on 25.10.2023 under "Special Drive for Unfilled Posts of Veterinary Faculty" inviting applications from eligible candidates for the post of Professor, Associate Professor, Assistant Professor in Veterinary & Animal Science, Kishanganj.

4. The petitioner, who had completed M.V.Sc in Veterinary Epidemiology & Preventive Medicine with Distinction along with PhD in Veterinary Bacteriology by availing CSIR-UG-JRF, besides his PhD comes under the relevant subject of Preventive Medicine submitted his application for the post of Associate Professor, in terms with Employment Notice No. 06/2023.

5. It is submitted that the petitioner applied for the post of Associate Professor in both the Colleges of Veterinary and Animal Sciences, Kishanganj and Bihar Veterinary College, Patna by way of separate application forms. There were three vacancies (three posts) available and floated in the Department



of Veterinary Clinical Complex (VCC), as per the detail of vacancy-category wise for the post of Associate Professor at Bihar Veterinary College, Patna. As per instruction, there is still one vacancy at Bihar Veterinary College, Patna in the said Department.

6. On receipt of the application forms of the petitioner, the date of the interview for the post of associate professor was scheduled to be held on 07.03.2024. But unfortunately, the petitioner received no interview letter, whereupon he made several representations, but no response has been made, and lastly, the petitioner has approached this Court.

7. Learned Advocate for the petitioner submitted that despite the petitioner having fulfilled all the essential qualifications and required eligibility, the petitioner has not called for in the interview. From the counter affidavit it appears that the candidature of the petitioner could not be considered owing to the fact that the Ph.D. of the petitioner was in Veterinary Bacteriology, which was not a relevant degree within the scope and ambit of the Clause 8 and Clause 10 of the advertisement. Therefore, the Screening Committee did not find the petitioner eligible for the post applied for and remarked "Ph.D. is not in relevant subject".



8. Refuting the aforesaid contention, it is further submitted that the petitioner has obtained his Ph.D. degree in the major discipline of veterinary bacteriology and minor discipline of veterinary immunology and animal biotechnology. The result of which Ph.D., described as transcript by the Indian Veterinary Research Institute, which describes the various course numbers and titles studied and completed during the course of completion of Ph.D. programme. The description of details mentioned in the aforesaid courses completed by the petitioner during the Ph.D. program will go on to show that the courses are intimately connected with the veterinary medicine or veterinary clinical medicine and meets the requirement of eligibility, as published by the Employment Notice No. 06/2023.

9. It is the specific contention of the petitioner that the management of the disease can be done by prophylactic measure, curative measures, and through palliative measures. The research of the petitioner under the Ph.D. programme has a clear bearing both on the prophylactic and curative management of the disease, in question, and thus, non-consideration of the petitioner's Ph.D. degree by treating it not relevant subject is wholly unsustainable.

10. On the other hand, learned Advocate for the Bihar



Animal Sciences University submitted that the essential qualification to be eligible for shortlisting for purpose of the interview were provided in clause 8 and 10 of the advertisement. The petitioner admittedly obtained Ph.D. degree in Veterinary Bacteriology, but not in Veterinary Medicine, as claimed by him. Since the Veterinary Bacteriology was not a relevant degree, does not fall under the scope and ambit of the aforementioned clauses, therefore the Screening Committee rightly did not find the petitioner eligible for the post applied.

11. It is further contended that the post of Associate Professor, Veterinary Clinical Complex, (Veterinary Medicine), in BC category remained vacant after completion of recruitment process and thus, the process for next recruitment filling up the vacant post has been initiated and preparing for approval of roster clearance.

12. While concluding the aforesaid submissions, placing reliance upon the decisions rendered by the Hon'ble Apex Court in the case of *University of Mysore & Anr. Vs. C. D. Govinda Rao & Anr., AIR 1965 SC 491; Basavaiah (Dr.) Vs. Dr. H. L. Ramesh & Ors., (2010) 8 SCC 372* as also *Sajeesh Babu K Vs. N. K. Santhosh & Ors., (2012) 12 SCC 106*, learned Advocate for the University further contended that



equivalence of a degree is within the domain of the experts of the committee and the Court ought not to interfere in the matter. If the petitioner, has had, any grievance with regard to equivalence of doctorate degree, in such circumstances, he should obtain a clarification from the Veterinary Council of India or any competent authority.

13. This Court, after giving anxious hearing to the learned Advocate for the respective parties and upon perusal of the advertisement, finds that for the purpose of appointment to the post of Associate Professor, the details of relevant degree has been duly prescribed and clause 8 & 10 reads as follows:-

Employment Notice No.: 06/2023

**DETAILS OF RELEVANT DEGREE FOR THE POST
ASSOCIATE PROFESSOR- OF VETERINARY FACULTY**

No.	Department s	Discipline	Description of relevant degrees for Associate Professor of veterinary faculty
8	Veterinary Clinical Complex	Veterinary Gynaecology & Obstetrics	M.V.Sc. in Veterinary Gynaecology and Obstetrics/ Animal Reproduction, Gynaecology & Obstetrics/ Animal Reproduction/Animal Gynaecology/ Gynaecology & Obstetrics & Ph.D. in relevant area.



		Veterinary Medicine	M.V.Sc. in Veterinary Medicine/ Clinical Veterinary Medicine/ Clinical Veterinary Medicine, Ethics and Jurisprudence/Veterinary Epidemiology and Preventive Medicine/ Veterinary Preventive Medicine and Jurisprudence & Ph.D. in relevant area.
		Veterinary Surgery and Radiology	M.V.Sc. in Veterinary Surgery/ Veterinary Surgery and Radiology & Ph.D. in relevant area.
10.	Veterinary Medicine	Veterinary Medicine	M.V.Sc. in Veterinary Medicine/ Clinical Veterinary Medicine/ Clinical Veterinary Medicine, Ethics and Jurisprudence/ Veterinary Epidemiology and Preventive Medicine/ Veterinary Preventive Medicine and Jurisprudence & Ph.D. in relevant area.

14. It would also be pertinent to take note of the clarification as mentioned in the advertisement that the relevant degrees as essential qualification are mentioned in Annexure 1 & 2, for the post of Professor and Associate Professor, are to be considered as has been enumerated in the essential qualification.

15. Bare reading of the aforesaid essential qualification, this Court doesn't find Veterinary Bacteriology as relevant for the post of Associate Professor, under which the petitioner has obtained the PhD degree. This Court also finds



that the claim of the petitioner that the Veterinary Bacteriology should also be considered under the broader definition of Veterinary Epidemiology and Preventive Medicine is beyond the domain of the Court. However, for the said purpose, the petitioner ought to get a clarification from the competent authority or by the Veterinary Council of India. In absence thereof, this Court is not in a position to make any observation with regard to the claim of the petitioner.

16. It would be worth benefiting to refer the decision of Hon'ble Apex Court in the case of ***Zonal Manager, Bank of India, Zonal Office, Kochi & Ors. Vs. Aarya K. Babu & Anr., (2019) 8 SCC 587***, where the Court while reinforcing the aforesaid proposition in para-16 ruled as follows:

“16. Further it is not for the Court to provide the equivalence relating to educational qualifications inasmuch as the said issue has been settled by the Constitution Bench of this Court in the decision relied upon by the learned counsel for the appellants in Mohd. Shujat Ali v. Union of India [Mohd. Shujat Ali v. Union of India, (1975) 3 SCC 76 : 1974 SCC (L&S) 454] wherein it is held that the question in regard to equivalence of educational qualifications is a technical question based on proper assessment and evaluation of the relevant academic standards and practical attainments of such qualifications and where the decision of the Government is



based on the recommendation of an expert body which possesses the requisite knowledge, skill and expertise for adequately discharging such a function, the Court, uninformed of relevant data and unaided by the technical insights necessary for the purpose of determining equivalence, would not lightly disturb the decision of the Government.

17. In view thereof, this Court doesn't find any merit in the writ petition. Accordingly, the same stands closed.

18. However, the dismissal of this writ petition would not preclude the petitioner to approach the Veterinary Council of India or the competent authority to get the equivalence of his degree determined, so that in future no impediment shall cause while considering the case of the petitioner for appointment to the post of Associate Professor or Professor.

19. Suffice it to observe that if the petitioner approaches before the Veterinary Council of India or the competent authority, the same shall be considered expeditiously taking note of the urgency of the matter.

(Harish Kumar, J)

shivank/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	16.07.2026
Transmission Date	NA

