

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3228 of 2025

1. Rajeev Kumar S/o- Ram Kawal Chaudhary, R/o Moh- Gaurakshini, Road No. 2B, P.S.- Sasaram, Dist- Rohtas.
2. Devendra Tiwary, S/o- Jayendra Tripathi, R/o Vill- Kusadhar, P.S.- Baghaila, Dist- Rohtas.
3. Vijay Kumar Pandey, S/o- Kishori Prasad, R/o Moh- Basawan Path, Station Road, Dalmianagar, P.S.- Dalmianagar, Dis- Rohtas.
4. Sudhir Kumar Rai, S/o- Kameshwar Rai, R/o Moh- Alamganj, P.S.- Sasaram, Dist.- Rohtas.
5. Rina Kumari, W/o- Manoj Kumar Guput, R/o Vill- Bishanpura, P.S.- Akorhi Gola, Dist- Rohtas.
6. Vibha Yadav, W/o- Saroj Kumar Singh, R/o Vill- Bhagatganj, P.S.- Dinara, Dist- Rohtas.
7. Amaresh Kumar Singh, S/o- Sadabal Chaudhary, R/o Vill- Varmadih, P.S.- Karakat (Gorari), Dist- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
3. The District Education Officer, Rohtas.
4. The District Programme Officer (Establishment), Rohtas.
5. The Secretary, Bihar School Examination Board, Patna.
6. Anwar Khan, S/o- not known, Block Teacher, UMS, Ramudih, P.S.- Rajpur, Dist- Rohtas.
7. Sunita Devi, W/o- not known, Block Teacher, UMS, Rajpur, P.S.- Rajpur, Dist- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Brij Bihari Tiwary, Advocate
For the BSEB	:	Mr. Mithilesh Kr. Rai, Advocate
For the State	:	Mr. Md. Zeeshan Kalim, AC to SC (20)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

4 05-02-2026 Heard learned Advocate for the respective parties.

2. The petitioners who have been working as block
Teachers as well as Middle School Teachers, on being found



eligible, have applied for the post of Exclusive Teacher and accordingly, participated in the examination conducted by the Bihar School Examination Board, Patna. The petitioners having been declared successful for the post of Exclusive Teacher, they have been allowed to participate in the counseling and during the pendency of the writ petition, all the petitioners have been declared Exclusive Teachers.

3. Now, the grievance of the petitioner is only confined to the fact that despite having been declared as Exclusive Teacher and allowed to discharge their duty as the same, the respondents authorities have not accepted their qualification of Graduation as well as Post-Graduation, acquired from Vinayaka Mission Research Foundation, Salem, Tamilnadu.

4. Learned Advocate for the petitioners submitted that the University in question is duly recognized by the University Grants Commission from 2007 till 2013-14, during the period in which the petitioners have completed the Graduation and Post-Graduation. Nonetheless, the petitioners have been denied the benefit of the aforementioned qualification and thus serious impediment is being caused to the petitioners to get further promotion in absence of recognition of their qualification acquired from the University in question. It is further contended that other persons who have been also qualified as an Exclusive



Teachers and having also acquired qualification of Graduation/Post-Graduation from the same institution, surprisingly, they have been given all the benefits, by treating their qualification to be recognized. But in case of petitioners, discrimination has been caused.

5. A counter-affidavit has been filed on behalf of the respondent no. 4, referring to the averments made therein, it is submitted that during the course of verification of the documents, it was found that the petitioners have passed Graduation and Post-Graduation from Vinayaka Mission Research Foundation, Salem, Tamilnadu, through distance course which is not recognized by the U.G.C. Therefore, the respondent authorities denied to conduct the counseling. However, during the pendency of the writ petition, they have been allowed to participate in counseling and now have been appointed as Exclusive Teacher; since their certificates obtained from the said University is found to be not valid therefore, no benefits of such qualifications have been extended to the petitioners. The respondents authorities have also brought on record, the list of the Institutions which have given recognition by the UGC and the name of the said Institutions falls at serial no. 174.

6. Bare perusal of the said letter as also the list of the Institution there is no indubity that the Universtity namely



Vinayaka Mission Research Foundation, Salem, Tamilnadu is treated to be deemed University and it has got institutional recognition for the period 2007 till 2012. Further, programme wise recognition has also been granted from 2011-2012 to 2013-2014. The petitioners before this Court have admittedly pursued and completed their Graduation and Post-Graduation in between session of 2011-12 to 2013-14, except petitioner no. 3, who has passed his M.A. (History) in the year 2009.

7. Having gone through the aforementioned letter which is brought by the State-respondent, there is no difficulty to comprehend that so far as the petitioner nos. 1, 2, 4, 5 and 6 are concerned they have valid qualification of Graduation/Post-Graduation as they have passed their examination of Graduation/Post-Graduation within the period in which the University was duly recognized and the subject through which they have passed in examination finds place in the said letter as recognized programme. Accordingly, this Court direct to the concerned authorities to consider the qualification of the petitioner nos.1, 2, 4, 5 and 6, obtained from the University in question as valid degree. So far as the petitioner no. 3 is concerned, since, he has passed his examination in the year 2009, though even for the said period, the University has institutional recognition. Hence, a fresh decision is required to be taken by



the District Programme Officer, Rohtas at Sasaram.

8. It is expected that the decision with respect to petitioner no. 3 must be taken, preferably, within a period of eight weeks from the date of receipt production of the copy of this order.

9. It is made clear that since because of no fault of the petitioners they have been belatedly allowed to appear in counseling by treating their certificate as doubtful, hence, for that the petitioners especially petitioner nos. 1, 2, 4,5 and 6 could not be made to suffer; in the opinion of this Court their seniority shall be counted with effect from their respective merit position. For resolving such dispute the District Programme Officer, Rohtas at Sasaram, shall also take decision with respect to the seniority of the petitioners with the person who have been allowed to appear in the counseling.

10. The writ petition stands disposed of, accordingly.

(Harish Kumar, J)

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