

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4380 of 2026

1. Kumar Shanu Son of Upendra Sharma, (TRE-1, Roll No. 877808), Permanent Resident of - Village - Paijuna, Post-Paharpur, P.S. - Akbarpur, District - Nawada, Pin - 805126.
2. Neeraj Kumar, Son of Harishchandra Sahani, (TRE-1, Roll No. 896389) Resident of village Kanti Kothiya, P.O. - Kanti, District - Muzaffarpur, Pin-843109.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, New Secretariat, (Vikas Bhawan, Bailey Road) District- Patna.
2. The Director (Secondary Education), Department of Education, Govt. of Bihar, Vikas Bhawan, Bailey Road, Patna.
3. The District Education Officer, District - Nawada.
4. The District Program Officer (Establishment), District-Nawada.
5. The District Education Officer, District - East Champaran.
6. The District Program Officer (Establishment), District - East Champaran.
7. The Bihar Public Service Commission, Patna, through its Chairman, Bailey Road, Patna.
8. The Chairman Bihar Public Service Commission, Patna.
9. The Joint Secretary cum Examination Controller, Bihar Public Service Commission, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Avanindra Kumar Jha, Advocate Mr. Bishwash Vijets, Advocate Mr. Ram Naresh Jha, Advocate
For the Respondent/s	:	Mr. Standing Counsel (22) Mr. Ravi Ranjan, AC to SC-22

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 30-03-2026 Heard learned counsel for the petitioners and learned
counsel for the State.



2. The writ petition has been filed for the following reliefs :-

(i) For issuance of appropriate orders, direction or writ in the nature of Mandamus for commanding / directing the respondents concerned to complete the leftover formalities of process of final joining of the Petitioners, on the post of Computer Teachers, for Class 11 & 12, (Initiated vide Advertisement No. 26/2023, for appointment of teachers in the govt. schools) and allow them to join on the post of Computer Teachers, for Class 11 & 12, in their allotted /respective schools, mentioned in School Allotment Letters.

(ii) For grant of any other relief or reliefs to which the Petitioners may be found entitled to, in the facts and circumstances of this case.

3. Learned counsel for the petitioners, by referring to Annexure-P/9, submits that provisionally the appointment letters were issued but for an objection raised with regard to diploma degree, the necessary orders for joining has not been passed, while it is the case of these petitioners that the issues are identical to the case which has been decided by the Co-ordinate Bench of this Court in the case of ***Niranjan Kumar and Others v. The State of Bihar and Others*** passed in ***C.W.J.C. No.874 of 2024***, wherein, the successful candidates were not being allowed to join the posts of computer teachers on the ground that 3 Years Diploma in Computer Science and Engineering from Government Polytechnics, being run by the Science and



Technology Department, Government of Bihar, were not in consonance with the eligibility criteria in the subject of Computer Science for Class 11 and 12, which issue has already been put at rest by this Court in the said case, as would be apparent from the order dated 14.10.2025 and 04.11.2025, the relevant portions are being extracted hereunder :-

Relevant portion of order dt. 14.10.2025

9. Having bestowed the consideration to the submissions advanced by the learned Advocates for the respective parties and taking note of the materials available on record, this Court comes to the opinion that the very ground for non-suiting the petitioners for appointment to the post of Computer Teachers that the qualification of Diploma possessed by the petitioners are not awarded by the institution recognized by the Government of India/University, is found to be unsustainable in view of annexure-13 series to the supplementary affidavit, whereby the petitioners have placed on record the necessary letters/documents, suggesting that the institute through which the petitioners have obtained the degree of Diploma are duly recognized by the AICTE. It is also not in question that the technical education/courses run in the various Universities across the India is duly regulated and approved by the AICTE which is the competent body duly empowered to do so under the AICTE Act, 1987.

10. It is also not in dispute that the petitioners have passed three years of Diploma course in Computer Science and Engineering from Government Polytechnics, duly run by the Science and Technology Department, Government of Bihar. Hence, in case of non-consideration of the



Diploma degrees issued by the aforementioned Government institution would amount to a fraud upon the students of those Government institutions, once Advertisement clearly postulates the eligibility criteria, inter alia, that a candidate having possession of Post Graduate Diploma in Computer Science from any recognized University shall be eligible to apply for the post of Secondary School Teacher for Class-XI and XII in Computer Science.

Relevant portion of modification order dt. 04.11.2025

3. It is submitted that in para-10 of the order dated 14.10.2025, it has been mentioned that Advertisement clearly postulates the eligibility criteria, inter alia, that a candidate having possession of Post Graduate Diploma in Computer Science; however, in terms with the advertisement, a candidate who is also having possession of only Diploma in Computer Science from any recognized University, shall also be eligible to apply for the post in question.

4. On the other hand, learned counsel for the State submits that since the issues have been already put at rest, and the petitioners certificates of diploma degrees are obtained from a Government recognized institute, then the appropriate orders can be passed by the authorities strictly in consonance with the directives issued by this Court in Niranjana Kumar and Others (*supra*).

5. Considering the submissions of the parties, this Court finds it appropriate to direct the respective District



Education Officers, who have been made the appointing authority, are required to address the issue in consonance with the parameters in the case of Niranjana Kumar and Others (*supra*) and if on consideration of the representation, so filed by the petitioners, the claim of the petitioners are found to be genuine, then appropriate orders for joining shall be passed within a period of four weeks, considering the fact that provisionally these petitioners were issued appointment letter in their favour.

6. Accordingly, the writ petition stands disposed of.

(Ajit Kumar, J)

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