IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4900 of 2026

CNR No. BRHC010229432026

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Rajesh Kumar Tiwari S/o Shashi Kumar Tiwari, R/o Vill-Dariyapur, P.O.-Saidanpur (Nandlalabad), P.S.-Gaurichak, District-Patna, Bihar-803201.

... ... Petitioner/s

Versus

1. The Bihar School Examination Board Patna through its Secretary Sinha Library Road, Patna.
2. The Examination Controller of the Bihra School Examination Board, Sinha Library Road, Patna.

... ... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Awadhesh Kumar Mishra, Adv. Ms. Shivani Mishra, Adv. Ms. Vidhi Shree, Adv. Mr. Anjesh Kumar, Adv.
For the Respondent/s	:	Mr. Subodh Kumar Jha, Adv. Mr. Kumar Ravish, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

3 27-10-2026 Heard learned Advocates appearing for the respective parties.

2. The petitioner has invoked the extraordinary writ jurisdiction of this Court, seeking a direction to the respondent authorities to revise the result of the petitioner in the Secondary Teachers Eligibility Test (STET) held on 19.10.2025, upon consideration of his EWS certificate, and to issue consequential orders in this regard.

3. An Interlocutory Application bearing I.A. No. 1 of 2026 has also been filed, seeking amendment of the main writ

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petition to incorporate a challenge to Advertisement No. PR218/2025, contained in Annexure P/1, on the ground that the same is illegal, arbitrary and unconstitutional.

4. Learned Advocate for the petitioner, at the outset, submits that the advertisement issued for the STET examination is wholly illegal and arbitrary, as it does not provide for 10% reservation for candidates belonging to the Economically Weaker Sections (EWS). It is submitted that the advertisement specifies the categories of ST (Male/Female), SC (Male/Female), EBC (Male/Female), BC (Male/Female), Unreserved Female and Unreserved Male, along with the respective age limits and qualifying marks, but makes no such provision for the EWS category. According to the petitioner, such exclusion amounts to discrimination and is in violation of the applicable statutory provisions and rules.

5. The aforesaid contention has been controverted by the Bihar School Examination Board, which has specifically averred that the STET, conducted for various subjects for the purpose of determining eligibility for appointment as teachers in secondary and higher secondary schools in the State of Bihar, is held in accordance with the terms and conditions prescribed in the guidelines issued by the Education Department.

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6. Mr. Jha, learned Advocate appearing for the Bihar School Examination Board, submits that, for the conduct of STET 2025, detailed guidelines were issued by the Director, Secondary Education, vide Letter No. 473 dated 01.09.2025, pursuant to which the advertisement in question was published.

7. Referring to the aforesaid guidelines, a copy of which has been brought on record as Annexure R/1, learned Advocate for the Board submits that no relaxation in the minimum qualifying marks has been provided for candidates belonging to the EWS category. Accordingly, the minimum qualifying marks applicable to the petitioner were 75, whereas he secured only 70 marks and was, therefore, declared unsuccessful. It is further contended that, in the absence of any provision in the advertisement or the applicable guidelines extending the claimed benefit to candidates belonging to the EWS category, the petitioner cannot be permitted to challenge the prescribed conditions after having been participated in the examination and declared unsuccessful. In support of this contention, reliance has been placed upon the judgment of the Hon'ble Supreme Court in ***Madan Lal & Ors. v. State of Jammu and Kashmir & Ors., [(1995) 3 SCC 486]***.

8. Having considered the submissions advanced on

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behalf of the respective parties and upon consideration of the materials available on record, this Court finds no merit in the claim advanced by the petitioner. Accordingly, the writ petition is dismissed. In view of the dismissal of the writ petition, I.A. No. 1 of 2026, seeking amendment of the writ petition, stands disposed of.

9. It is, however, observed that the dismissal of the writ petition shall not preclude the petitioner from approaching the competent authority by way of an appropriate representation, bringing to its notice the relevant facts and raising his grievance with regard to the benefit claimed under the EWS category. If any such representation is filed, the competent authority may consider the same in accordance with law.

(Harish Kumar, J)

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