

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4648 of 2026

1. Vikash Kumar Son of Madhesh Kumar Sah, Resident of Village Khairma, P.O. and P.S. Jamui, District Jamui.
2. Uzzwal Kumar, Son of Yogendra Sah, Resident of Mohalla Mirchaipatti, Ward No. - 9, Chakmahila, Sitamarhi Bazar, P.S. Sitamarhi, District - Sitamarhi.
3. Amit Kumar Shukla, Son of Late Prahlad Shukla, Resident of Village Shivarahi, Mathiya, Majharia Kishun, P.S. - Nautan, District - West Champaran.
4. Vivek Kumar Vikram, Son of Birendra Kumar Singh, Resident of Village Kheshrahi urf Raghunathpur, Ward No. 4, P.S. Patepur, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
2. The Secretary, Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
3. The Director (AHD), Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
4. The Additional Secretary, Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
5. The Joint Secretary, Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
6. The Deputy Secretary, Diary, Fisheries and Animal Resources Department, Government of Bihar, Patna.
7. The Bihar Technical Service Commission through its Chairman, 19. Harding Road, Patna - 800001.
8. The Chairman, The Bihar Technical Service Commission, 19, Harding Road, Patna-800001.
9. The Additional Secretary, The Bihar Technical Service Commission, 19, Harding Road, Patna - 800001.
10. The Joint Secretary, The Bihar Technical Service Commission, 19, Harding Road, Patna - 800001.
11. The Deputy Secretary, The Bihar Technical Service Commission, 19, Harding Road, Patna - 800001.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Jagjit Roshan, Advocate
For the State	:	Mr. Standing Counsel (28)
For the B.T.S.C.	:	Mr. Nikesh Kumar, Advocate
		Mr. Praveen Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER



2 30-03-2026 Heard learned counsel for the petitioners, learned counsel for the State and learned counsel for the Bihar Technical Service Commission.

2. The present writ petition has been filed for the following relief/s:-

“I. Issuance of Writ, Order, direction in the nature of Mandamus commanding the Respondents to give preference to the Candidates who have obtained required Technical Qualification from Colleges / Institutions situated in Bihar State by either giving 50% Horizontal Reservation in each category or Weightage of 10 (Ten) Marks in the Selection Process of Dairy Field Officer / Dairy Technical Officer which has been Advertised vide Advertisement No.01 of 2026.

II. Issuance of Writ, Order, direction in the nature of Mandamus commanding the Respondents to amend the Advertisement No. 01 of 2026 to the extent that preference shall be given to the candidates who have obtained required Technical Qualification from Colleges/Institutions situated in Bihar State by either giving 50% Horizontal Reservation in each category or Weightage of 10 (Ten) Marks to those Candidates who have obtained required Technical Qualification from Colleges / Institutions situated in Bihar State.



III. Issuance of Writ in the nature of Mandamus directing the Respondents to consider the Work Experience of the Petitioners as there Service is being taken by the State of Bihar itself but through Outsourcing through an agency selected for the said purpose.

IV. To issue an appropriate writ / order in the nature of Mandamus commanding the Respondents to take final decision on the issue of giving preference to the candidates who have obtained required Technical Qualification from Colleges / Institutions situated in Bihar State in the light of Policy decision of the State and also with regard to Work Experience gained through an Agency which has been outsourced by the Department itself in the Selection Process of Dairy Field Officer/ Dairy Technical Officer which has been Advertised vide Advertisement No.01 of 2026.

V. To stay the final result of the Selection Process of Dairy Field Officer/Dairy Technical Officer which has been advertised vide Advertisement No.-01 of 2026 till the final adjudication of the present Writ Petition.

VI. Issuance of such other order/orders, direction/directions, relief/reliefs to which the petitioner may found entitled to be passed as your Lordships may deem fit and proper.”



3. Learned counsel appearing for the Bihar Technical Service Commission raised preliminary objection and submits that the said advertisement has been published completely in accordance with the rule namely, The Bihar Dairy Cadre Recruitment Rules, 2013 with further amendment in 2021. Counsel submits that the advertisement has completely been made in accordance with the said rule. Counsel submits that the petitioners have not challenged the said rule and without challenging the rule, petitioners are trying to make prayer before this Court to insert a new provision in the advertisement.

4. It transpires to this Court that without challenging the rule, no relief can be granted to the petitioners.

5. In this background, this Court is not inclined to interfere in this matter. Hence, this writ petition stands dismissed with liberty to the petitioners that if advised so, they may challenge the said rule by way of filing fresh writ petition.

(Dr. Anshuman, J)

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