

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.292 of 2025

In
Civil Writ Jurisdiction Case No.19704 of 2024

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Lalan Kumar Madhukar Son of Late Kameshwar Singh, Resident of Village- Narayanpur, Post Office- Rajabigha, Police Station - Narhat, District - Nawadah presently working as Lecturer in Department of History, R.Lal College, Ali Nagar, Nalanda, District - Nalanda.

... .. Appellant/s

Versus

1. The Bihar State University Service Commission Patna through its Secretary having its Office at 8th Floor, Bihar School Examination Board, Academic Building, Budh Marg, Patna - 1.
2. The Chairman, Bihar State University Service Commission, Patna having its Office at Academic Building, B.S.E.B., Budh Marg, Patna- 1.
3. The Patliputra University through its Registrar, having its Office at Patna.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Arun Kumar, Advocate
For the Respondent/s	:	Mr. Anjani Kumar, AAG-4
		Mr. Rohan Sinha, AC to AAG-4
		Mr. Alok Kumar Rahi, AC to AAG-4
For the PPU	:	Mr. P.K.Verma, Advocate
		Dr. Anand Kumar, Advocate
		Ms. Vijeta Kumari, Advocate

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 01-04-2026

This Letters Patent Appeal has been filed by Mr. Lalan Kumar Madhukar challenging the order dated 13.02.2025 passed by the learned Single Judge in C.W.J.C. No. 19704 of 2024. The writ petition was filed seeking for following reliefs:-

“(i) For issuance of appropriate



order/direction/writ in the nature of mandamus commanding and directing upon the Respondents concerned specially Respondent No. 1 and 2 to consider the claim of petitioner for acceptance of Teaching Experience certificate duly countersigned by Registrar of the concerned University in pursuant to necessary Notice No. 1754 dated 14.10.2024 in reference to Advertisement No. AP-History-08/20-21 under which during course of scrutiny of Hard copy of application form of petitioner being UID No. LAL 09061976 HIS 0066115 at Sr. No. 3235 under which petitioner was directed to submit required documents which he has submitted in prescribed norms as also since Teaching Experience Certificate issued from the level of Principal of the College was submitted along with application form but the same is required to be Counter signed by learned Registrar of the concerned University and accordingly petitioner after obtaining the Teaching Experience certificate issued from the level of Principal of the College duly countersigned by learned Registrar of the University dated 19.11.2024 has also uploaded on Website of Commission on 23.11.2024 and also sent through Speed Post on 07.12.2024 on the basis of which petitioner will be entitled to get weightage as prescribed in Advertisement itself but on request of petitioner no positive response is being given by the Respondent



Commission which will prejudice the valid claim of petitioner.

(ii) Any other order/orders for granting any other relief/reliefs for which he petitioner is found entitled to in the facts and circumstances of the case.”

2. It is the case of the petitioner that while he was working as the Lecturer in Department of History in R. Lal College, Ali Nagar, Nalanda since 11.11.2011, an advertisement dated 21.09.2020 was published by the Bihar State University Service Commission, Patna, (hereinafter referred to as ‘Commission’) for appointment to the post of Assistant Professor in several subjects including History and since as per the eligibility criteria, the petitioner was fulfilling the same, he applied in proper format within time. It is the case of the petitioner that the Teaching Experience Certificate which he submitted was issued by the Principal of the College, but since the requirement as per the advertisement was that it was to be countersigned by the Registrar of the concerned university, the petitioner’s application was not accepted.

It is the further case of the petitioner that in several cases, even though the required documents were not submitted by the candidates at the time of filing applications, they were given opportunities to file such documents at a later stage and those were accepted, but the petitioner has been discriminated,



inasmuch as, at the time of filing the application since he was not having the Teaching Experience Certificate duly countersigned by the Registrar, the same was not filed, but at a later stage, when such a certificate was obtained, the petitioner should have been accorded opportunity to produce the certificate, so that he could have been considered for the selection.

The learned Single Judge after hearing the learned counsel for the petitioner as well as the counsel for the Commission came to hold as follows:-

“7. After hearing the learned counsel for the parties, the Court finds no merit in the writ application for the reason that it is an admitted position that petitioner did not submit the Teaching Experience Certificate duly countersigned by the Registrar prior to the last date of submission of the Teaching Experience Certificate as mandated by the advertisement nor in the writ application there is any averment that the Registrar of the concerned university was not issuing the Teaching Experience Certificate, as such, the petitioner had no option, but to submit the Teaching Experience Certificate signed by the Principal of the college nor the writ petition even remotely suggests that petitioner made any endeavours prior to 2024 to get the Teaching Experience Certificate issued under the signature of the



Registrar, as such, even the petitioner was lackadaisical in his approach, as such, the submission made by the learned counsel appearing on behalf of the petitioner that the Court should exercise its extraordinary jurisdiction for granting relief since the petitioner ultimately had submitted his Teaching Experience Certificate, is not worth considering.”

3. It is the contention of the learned counsel for the Commission that on bare perusal of the advertisement, it would be manifestly clear that criteria for shortlisting the candidates for the post of Assistant Professor has been stipulated and as per sub-clause (6) of Clause 7.2, it speaks of teaching/post doctoral experience for which two marks for each year is to be granted, subject to the maximum of ten marks and such a benefit can only be given on the basis of a certificate which is to be countersigned by the Registrar of the concerned university and since the petitioner though submitted the Teaching Certificate before the cut-off date, which was not countersigned by the Registrar of the concerned University and was issued under the signature of Principal of the College, therefore, the Teaching Experience Certificate was not in accordance with the mandate of the advertisement and thus, the question of giving liberty to the petitioner to submit the Teaching Experience Certificate duly signed by the Registrar, at a later stage, did not arise in this



case.

It is further contended by the learned counsel for the Commission that as per the advertisement, the last date of submission of the certificate was 10.12.2020 and therefore, the Commission rejected the Teaching Experience Certificate which the petitioner submitted subsequently in the year 2024.

4. Though the learned counsel for the appellant argued that in similar cases, lenient approach has been taken and the persons who have not submitted such certificates earlier, have been given opportunity to file it at a belated stage, but no specific instances have been stated in any of the paragraphs of the writ petition to that effect. Therefore, the submission made in that respect claiming parity cannot be accepted.

5. The learned Senior Counsel appearing for the Commission submitted that similar matters in which orders were passed by the learned Single Judge were challenged by Bihar State University Service Commission before this Court in Letters Patent Appeal in LPA No. 653 of 2024 and LPA No. 698 of 2024, which were allowed and LPA No. 1003 of 2024 has been filed by the candidate on being aggrieved by the order of learned Single Judge, who did not find any fault in the action of the Commission, stood dismissed. He has produced the copies of those orders, which are taken on record.



6. On perusal of the order passed in the LPA, it appears that this matter is also similar in nature; therefore, it cannot be said that there is any perversity or palpable unreasonableness in the impugned order passed by the learned Single Judge, which is required to be corrected by exercising the appellate jurisdiction in this Letters Patent Appeal. The appellant having failed to produce the Teaching Experience Certificate countersigned by the Registrar of the University which is a necessity as per the advertisement published by the Commission to be submitted alongwith the application form for appointment to the post of Assistant Professor in History, the petitioner’s application was rightly rejected.

7. Accordingly, the Letters Patent Appeal being devoid of merits, stands dismissed.

(Sangam Kumar Sahoo, CJ)

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	03.04.2026
Transmission Date	NA

