

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7111 of 2026

1. Shailendra Bharati son of Musha Ram, Village- Vridavan Colony, ward no.- 2, Gobarsahi, Post- Dumri, District-Muzaffarpur, PIN- 843113, was posted as Vice Principal and presently reverted as Group Instructor at Womens I.T.I., Chauri, District- Madhubani, PIN 847234.
2. Sanjeev Kumar Verma, son of Nagnarayan Prasad, village Madhopur-anant, Post - Khairvadarp, District - Sheohar, PIN- 843329, was posted as Vice Principal and presently reverted as Group Instructor at I.T.I., Areraj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Youth, Employment and Skill Development Department, Government of Bihar, Patna.
2. The Principal Secretary, Labour Resources Department, Government of Bihar, Patna.
3. The Director, Employment and Training, Youth Employment and Skill Development, Government of Bihar, Patna.
4. The Joint Director (Training), Directorate of Youth, Employment and Skill Development, Government of Bihar, Patna.
5. The Joint Secretary, Labour Resources Department, Government of Bihar, Patna.
6. The Deputy Director (Training), Directorate of Youth, Employment and Skill Development, Government of Bihar, Patna.
7. The Regional Inspecting Officer, Patna, W.I.T.I. Digha Ghat campus, Youth, Employment and Skill Development Department, Government of Bihar, Patna.
8. The Director, School of Engineering and Technology, Indira Gandhi National Open University, Maidan garhi, New Delhi, PIN CODE-110068.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Sinha, Advocate

For the Respondent/s : Mr. Government Pleader 04

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 11-05-2026

Learned Counsel for the petitioners and Learned
Counsel for the State are present.



2. Learned Counsel for the petitioners submit that the petitioners have filed the present writ petition for the following reliefs:-

“For issuance of a writ in the nature of Certiorari for quashing the order contained in memo no. 3922 dated 18.12.2025 issued by the Secretary, Labour Resources Department, Government of Bihar, Patna, (Annexure - P/6) whereby the validity of Diploma in Electrical Engineering awarded by the IGNOU to the petitioners has been negated and on this ground the officiating charge of the post of Vice-Principal (level-9) from the post of Group Instructor (level-7) allowed to the petitioners have been withdrawn.

(ii) For issuance of a writ in the nature of Certiorari for quashing of the Notification bearing memo no. 383 dated 16.02.2026 (Annexure P/14) whereby the charge of the post of Principal, Women's I.T.I., Madhubani and Principal at I.T.I., Areraj, East Champaran have been transferred to other officers of the Department.

(iii) For issuance of a writ in the nature of mandamus revalidate and restore Government Notification No. 32 dated 14.06.2024 (Annexure P/4) read with Notification no.-95 dated 28.12.2023 (Annexure-P/3) and pass an order commanding reinstate the officiating executive charge of the post of Vice Principal (level 9) from the post of Group Instructors (level-7) to the petitioners.

(iv) For issuance of any other writ or direction, which your Lordships may deem fit and proper in the facts and circumstances of the case.”

3. Learned counsel for the petitioners submits that,



while passing Annexure-P/6, which is impugned herein, the various judgments of the Hon'ble Supreme Court of India, annexed as Annexures-P/7 to P/9, were not taken into consideration.

4. Upon a specific query made by this Court as to whether the petitioners had filed any representation before the authority concerned, learned counsel for the petitioners orally submitted that a representation had been filed before the Principal Secretary, Labour Resources Department, Government of Bihar, Patna. However, there is nothing on record to indicate that any such representation was filed before the Principal Secretary, Labour Resources Department, Government of Bihar, Patna. Moreover, learned counsel is not in a position to substantiate the submission that such representation was in fact filed before the authority concerned.

5. Learned counsel for the petitioners further submits that the impugned order has been passed by the Secretary, Labour Resources Department, Government of Bihar, Patna, who, according to the petitioners, was not competent to pass such an order.

6. Learned counsel appearing for the State, on the other hand, submits that the impugned order has been passed in



the light of the decision rendered by this Hon’ble Court.

7. This Court is of the considered view that the petitioners ought to challenge Annexure-P/6, which is impugned herein, before the Principal Secretary, Labour Resources Department, Government of Bihar, Patna, firstly on the point of jurisdiction and secondly on the basis of the judgments upon which the petitioners seek to rely (Annexure P/7 to P/9 to the writ petition).

8. Accordingly, the petitioners are granted liberty to file a fresh representation before respondent no.2, namely, the Principal Secretary, Labour Resources Department, Government of Bihar, Patna, within a period of thirty days. Upon filing of such representation along with a copy of this order, the Principal Secretary, Labour Resources Department, Government of Bihar, Patna, shall pass an appropriate order on the same within a period of 90 days thereafter.

9. With the aforesaid observation and direction, the writ petition stands disposed off.

(Dr. Anshuman, J)

Ashwini/Manshi

AFR/NAFR	
CAV DATE	NA
Uploading Date	13.05.2026
Transmission Date	NA

