



2026:PATHC:42331

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8900 of 2025

Deepak Jha Son of Govind Jha, Resident of Village and P.O- Chandrain, P.S-
Nauhata, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Science and Technology, Government of Bihar, Patna.
3. The Principal Secretary, Irrigation Department, Government of Bihar, Patna.
4. The Principal Secretary, Water Resources Department, Government of Bihar, Patna.
5. The Principal Secretary, Planning and Development Department, Government of Bihar, Patna.
6. The Principal Secretary, Urban Development and Housing Department, Government of Bihar, Patna.
7. The Principal Secretary, Rural Work Department, Government of Bihar, Patna.
8. The Principal Secretary, Public Health and Engineering Department, Government of Bihar, Patna.
9. The Principal Secretary, Building Construction Department, Government of Bihar, Patna.
10. The Principal Secretary, Road Construction Department, Government of Bihar, Patna.
11. The Principal Secretary, Minor Water Resources Department, Government of Bihar, Patna.
12. The Bihar Technical Service Commission, through its Secretary, Government of Bihar, Patna.
13. The Secretary, Bihar Technical Service Commission, Government of Bihar, Patna.
14. The Chairman, Bihar Technical Service Commission, Government of Bihar, Patna.
15. The In-Charge Secretary, Bihar Technical Service Commission, 19 Harding Road, Patna.
16. Khusbhu Kumari Daughter of Vikash Kumar, through Bihar Technical Service Commission, Patna, Serial No.346, Registration No. BR00150010108435.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Dinu Kumar, Advocate
Ms. Ritika Rani, Advocate





For the State : Mr. Vardaan Mangalam, Advocate
For the BTSC : Mr. Jai Prabhat Kishore (AC to SC-13)
: Mr. Nikesh Kumar, Advocate
: Mr. Praveen Tewari, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL JUDGMENT

Date : 04-05-2026

Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the Bihar Technical Service Commission (B.T.S.C.).

2. The present writ petition has been filed for issuance of an appropriate writ in the nature of certiorari or an appropriate writ/writs, order/orders, direction/directions for any other purposes and for grant of the following relief/s:-

“I. For quashing the office order vide memo no. 968 dated 25/03/25 issued under the signature of In-Charge Secretary, Bihar Technical Service Commission, Patna, Bihar respondent no.15 as contained in Annexure-P/14, by which grievances of the petitioner has been rejected after alleged compliance of order dated 11.02.2025 passed in C.W.J.C. No. 2079/2025 for appointment to the post of Junior Engineer (Civil) against advertisement no. 1/2019 as contained in Annexure-P/2.

II. For quashing the objection raised by the Bihar Technical Service Commission by which the candidature of the petitioner has been





rejected/cancelled as contained in Annexure-P/7 as a result of which the petitioner has not been selected for appointment to the post of Junior Engineer (Civil) against advertisement no. 1/2019 even after scoring more than the cut-off marks in EWS category and private respondent and many others who has scored lesser marks then the petitioner has been selected against advertisement no.1/2019.

III. To hold and declare the Swami Vivekanand University, Sagar, Madhya Pradesh, the private institute from where the petitioner got his Diploma in Civil Engineering session 2014-2017 is competent to issue Diploma Degree and the petitioner has not passed Diploma in Non-Distance mode from a Deemed University is arbitrary, illegal, malafide and bad in law.

IV. For commanding the Bihar Technical Service Commission to declare the result of the petitioner and recommend the name of the petitioner for appointment to the post of Junior Engineer (Civil) against advertisement no. 1/2019 in EWS category considering the marks of the petitioner 62.625% and institution of the petitioner.

V. For commanding the state respondents to issue appointment letter in favour of the petitioner considering the merit position of the petitioner in the EWS category and grant





seniority, pay protection and other consequential service benefits for which the petitioner on the reason private respondent who has scored lesser marks than the petitioner has been selected against advertisement no.1/2019 for appointment to the post of Junior Engineer (Civil) in 60% open in EWS category.

VI. Also for necessary relief/reliefs, order/orders, direction/directions for which the petitioners are entitled in the eye of law.”

3. Learned counsel for the petitioner submits that the petitioner had earlier moved before this Hon'ble Court in C.W.J.C. No. 2079 of 2025 which was disposed off *vide* order dated 11.02.2025 with liberty to the petitioner to file a fresh representation before the Secretary, Bihar Technical Service Commission, Govt. of Bihar, Patna who was directed to pass order. Counsel submits that in the light of the order passed by this Court in C.W.J.C. No. 2079 of 2025, the petitioner filed representation *vide* Annexure-P/13. He submits that the petitioner has obtained diploma from the Swami Vivekanand University, Sagar, Madhya Pradesh and submits that his certificate is valid and fulfills all the requisite qualification required under the Advertisement no. 1/2019. He also submits





that the petitioner obtained diploma in Civil Engineering being the regular student of Swami Vivekanand University, Sagar, Madhya Pradesh for the Session 2014-2017. He submits that he has uploaded the certificates on the website and this Hon'ble Court has directed the respondent-commission to pass order considering the petitioner's representation. Counsel submits that his representation has been disposed of *vide* Annexure-P/14, in which, none of the points have been discussed.

4. Upon perusal of the order which is under challenge, it transpires to this Court that the respondent-commission has passed order on the representation of the petitioner and decided against the petitioner. It transpires to this Court that in Clause-(x) of the Annexure-P/14, seven different grounds under heading (a) to (g) have been mentioned as well as the grounds have been mentioned in Clause (xi), (xii) & (xiii) and subsequently, in the light of the decision made by this Court in case of Prince Raj Vs. The State of Bihar & Anr. dated 30.03.2026 passed in C.W.J.C. No. 5733/2025, in which, it has been observed that the degree of the petitioner is fake, as it was issued prior to 2017-2018, when the university was not permitted to grant diploma to the students and on this ground, the said writ petition was dismissed. Here in the present case, the petitioner is admittedly





of the Session 2014-2017.

5. This Court is of the firm view that when the University was not competent to grant diploma to the students prior to 2017-2018, then under what circumstances, the petitioner has been issued degree/diploma for the Session 2014-2017.

6. Hence, this Court finds no merit in this case. Accordingly, this writ petition stands dismissed.

(Dr. Anshuman, J)

Divyansh/-

AFR/NAFR	
CAV DATE	NA
Uploading Date	06/05/2026
Transmission Date	NA

