IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4732 of 2026

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1. Shashi Ranjan Son of Ramji Singh, Resident of Village- Taki Badhaya Bag, P.S.-Sasaram, District- Rohtas (Bihar)
2. Kumari Pinki Wife of Shashi Ranjan, Resident of Village-Taki Badhaya Bag, P.S.-Sasaram, District-Rohtas (Bihar)

... ... Petitioner/s

Versus

1. The State of Bihar represented through the Additional Chief Secretary, Department of Health, New Secretariat, Patna (Bihar)
2. The Chairman, Bihar Technical Service Commission, 19 Harding Road, Patna
3. The Secretary, Bihar Technical Service Commission, 19 Harding Road, Patna
4. The Additional Secretary, Bihar Technical Service Commission, 19 Harding Road, Patna

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr.Shashikant
For the BTS Commission Mr. Nikesh Kumar
Mr. Bijay Choubey
For the State : Mr. Standing Counsel (18)
Mr. Randhir Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA

ORAL ORDER

2 25-06-2026 Heard learned counsel for the petitioner, learned counsel appearing for the respondent-Bihar Technical Service Commission and learned counsel for the respondent-State.

2. The following candidates, namely, Mr. Rajeev Ranjan Kumar, Mr. Pawan Kumar Ray, Mr. Kamlesh Kumar, Mr. Nibas Yadav, Mr. Ravi Shankar Kumar, Mr. Deepak Kumar, Mr. Daniel @ Daniel Kumar, Mr. Amit Kumar Singh, Mr. Niranjan Kumar Bharti, Ms. Pushpanjali Kumari, Mr. Ravindra

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Kumar Nisad and Mr. Uttam Kumar were enrolled by the petitioners' Institution in the year 2023-24 for "Diploma in Medical Dresser", after passing secondary school examination. It is contended that on successful completion of Diploma Course, the petitioners' Institution awarded them Diploma Certificates and thereafter these candidates applied for the post of Dresser, as per the Advertisement No. 21 of 2025, dated 10.03.2025, issued by the Bihar Technical Service Commission. It is further contended that these candidates were issued admit cards by the Bihar Technical Service Commission for appearing in the competitive online examination. All these candidates, it is stated, were successful in the online competitive examination and thereafter they were issued call letters for document verification. While verifying the documents, the respondent-Bihar Technical Service Commission declared these candidates as unsuccessful. Being aggrieved by this action of the respondent-Bihar Technical Service Commission of declaring the aforementioned candidates as unsuccessful, the petitioners, who are the Directors of the Institution, have filed this writ application, presumably on their behalf.

3. At this stage, learned counsel appearing for the Bihar Technical Service Commission raises an objection with

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regard to maintainability of the present writ application on the ground that the petitioners, who are the Directors of the Institution, do not have any locus to file this present writ application, espousing the cause of unsuccessful candidates. Elaborating his argument, learned counsel appearing for the respondent-Bihar Technical Service Commission submits that this writ application has not been filed by any of the so-called unsuccessful candidates and hence the petitioners, who are the director of the Institution, cannot be permitted to maintain this writ application on behalf of the so-called unsuccessful candidates. He, therefore, prays that the present writ application be dismissed as not maintainable.

4. While answering the aforesaid objection raised by learned counsel appearing for Bihar Technical Service Commission, learned counsel appearing for the petitioners fails to satisfy this Court as to how the petitioners have any locus to maintain this writ application on behalf of the so-called unsuccessful candidates. It is brought to the notice of this Court that some of the so-called unsuccessful candidates have separately filed writ applications, questioning their disqualification. Two of such writ applications are CWJC No.4108 of 2026 and CWJC No. 4097 of 2026, which are

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separately pending adjudication.

5. It is pertinent to highlight the fact that in this writ application the relief that has been sought is for declaring the unsuccessful/disqualified candidates as successful. This kind of relief can only be pursued by the unsuccessful candidates, and not by the Institute. The Institute, manifestly, does not possess the locus to file this writ application for seeking the kind of relief, that has been prayed for in this writ application.

6. This writ application, therefore, is held to be not maintainable at the behest of the petitioners, who are the Directors of the Institute. Being frivolous, it is dismissed with cost of Rs. 2,000/-, which must be deposited with the Patna High Court Legal Services Committee.

(Alok Kumar Sinha, J)

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