

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10635 of 2025

Priti Kumari, D/o late Devendra Prasad Chaurasia, R/o Kabargaha Mungrora,
P.O- Jamalpur, P.S.- East Colony, Jamalpur, Munger, Bihar- 811214.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Health Department,
Government of Bihar.
2. The Secretary, Bihar Technical Service Commission, 19, Harding Road,
Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Atulya Anand, Adv.
For the Respondent/s	:	Mr. Rakesh Prabhat, AC to SC-21
For the B.T.S.C.	:	Mr. Nikesh Kumar, Adv. Mr. Akshansh Shankar, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL JUDGMENT

Date : 14-07-2025

Heard the parties.

2. The petitioner, one of the aspirant for the post of Revised Auxiliary Nurse Midwifery in terms of advertisement No. 07/2022, approached this Court seeking a direction upon the respondents, specially Bihar Technical Service Commission to include her name in the merit list prepared and published vide letter no. 03/BTSC-48/2022-1596 dated 28.05.2025.

3. In terms with the advertisement no. 07/2022 the petitioner applied for the post of Revised Auxiliary Nurse Midwifery through online mode and submitted all the requisite documents. In course of document verification conducted on 19.02.2024, the petitioner was declared not qualified for the said



post on the ground that she does not possess the required certificate for the Revised Auxiliary Nurse Midwifery issued by the Bihar Nurses Registration Council. The copy of document verification receipt has also been placed on record as Annexure 3 to the writ petition.

4. It is the specific contention of the petitioner that she had duly pursued and completed the Revised Auxiliary Nurse Midwifery course as recognized by the Indian Nursing Council and thus was qualified for appointment to the said post under captioned advertisement. However, on account of a mistake committed on the part of the Bihar Nurses Registration Council, who erroneously issued a certificate with printing mistake for General Nursing and Midwifery Course in place of Revised Auxiliary Nurse Midwifery, the claim of the petitioner for selection to the questioned post, stood rejected. The petitioner on being surprised to the rejection of her candidature on account of mismatch in the certificate raised an objection on 21.05.2025 to the Bihar Technical Services Commission explaining that the Bihar Nurses Registration Council has erroneously issued an incorrect certificate in favour of the petitioner which was later on rectified and a fresh Revised Auxiliary Nurse Midwifery Certificate has been issued, hence a request has been made to



the Commission to include the name of the petitioner in upcoming merit list. It is the further contention of the petitioner that the petitioner has secured good marks and found qualified for the post in question.

5. Learned Advocate for the Bihar Technical Service Commission referring to the averments made in the writ petition has contended that in any view of the matter the document verification was done long back on 19.02.2024 and the petitioner was declared not qualified for the said post on account of non-submission of the certificate for the Revised Auxiliary Nurse Midwifery.

6. Taking this Court through the important information as contained in letter no. 406 dated 13.02.2024 (amended to the advertisement) he further contended that clause 6 of the amended advertisement clearly stipulated that all the necessary certificates and the documents in original were required to be produced at the time of verification of documents; in case of failure, no certificate shall be accepted subsequently by the Commission. He further submits that from Annexure 5 to the writ petition it appears that the petitioner was having in possession of certificate of Revised Auxiliary Nurse Midwifery long back in the year 2014 and if certain mistake has



been committed on the part of the petitioner, for which the Commission cannot be blamed.

7. Heard the learned Advocate for the respective parties and also carefully perused the important information dated 13.02.2024(Annexure-1) which clearly stipulate as follows:

“6. आवेदन प्रपत्र में वर्णित सभी प्रमाण-पत्रों को दस्तावेज सत्यापन (Document verification) के समय मूल रूप से प्रस्तुत करना अनिवार्य होगा। दस्तावेज सत्यापन (Document verification) में प्रमाण-पत्र नहीं प्रस्तुत करने/त्रुटिपूर्ण होने की दशा में अलग से कोई भी प्रमाण-पत्र आयोग द्वारा स्वीकार नहीं किया जाएगा।”

8. It is the admitted position that the petitioner failed in producing the relevant necessary certificate at the time of verification of documents; furthermore candidature of the petitioner came to be rejected on 19.02.2024 and the petitioner has preferred the present writ petition after a delay of more than one year four months, for both these reasons this Court does not find any merit in the present writ petition.

9. Accordingly, the writ petition stands dismissed.

(Harish Kumar, J)

supratim/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.07.2025
Transmission Date	NA

