

IN THE HIGH COURT OF JHARKHAND AT RANCHI
W.P.(S) No. 2934 of 2026

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1. Arpana Kumari, aged about 34 years, D/o Nawal Kishore Nawal, R/o Village Kandtari, P.O. Sandh, P.S. Barkagaon & District- Hazaribagh.
 2. Komal Surin, aged about 32 years, S/o Anand Kumar Surin, R/o Village Chiromatha, P.O. Raj Anandpur, P.S. Manoharpur & District- West Singhbhum.
 3. Jitendra Prasad, aged about 39 years, S/o Horil Prasad, R/o Village Sarauni Kala, P.O. Rola, P.S. Muffsil & District- Hazaribagh.
 4. Neelam Kumari, aged about 43 years, D/o Uma Shankar Mahto, R/o Village Lower Karamtoli, P.O. Morabadi, P.S. Lalpur & District- Ranchi.
 5. Digamber Prasad, aged about 38 years, S/o Hingu Lal Mahto, R/o Village- Kundru Khurd (Prasachhapar), P.O. Kundru Kalan, P.S. Ramgarh & District- Ramgarh.
 6. Ramdeo Dangi, aged about 40 years, S/o Jeevlal Dangi, R/o Village Singhani, P.O., P.S. Pathalgadha & District- Chatra.
 7. Namrata Mishra @ Namrata Devi, aged about 41 years, W/o Arvind Kumar Tiwari, R/o Village Kudra, P.O., P.S. Sisai & District- Gumla.
 8. Pintu Kumar Saw, aged about 35 years, S/o Sobha Saw, R/o Village Chainpur, P.O. Maharajganj, P.S. Govindpur & District- Dhanbad.
 9. Kshitiz Raj, aged about 36 years, S/o Awadhesh Mahto, R/o Village Darudih, P.O. Sangbar, P.S. Lesliganj, & District- Palamu.
 10. Sarita Kumari, aged about 41 years, D/o Hare Ram Thakur, R/o Village En-03 Annoda Apt., South Office Para, Doranda, P.O. Doranda, P.S. Doranda & District- Ranchi.
 11. Shatabdi Mondal, aged about 31 years, D/o Deepak Kumar Mondal, R/o Village Amlajora, P.O. Nala, P.S. Nala, District- Jamtara.
 12. Vicky Kumar Mahato, aged about 32 years, S/o Krishna Prasad Mahato, R/o Village Kandra, P.O. Ramnagar Garh, P.S. Mahuda & District- Dhanbad.
 13. Sudhanshu Kumar Vishwakarma, aged about 28 years, S/o Lekhraj Vishwakarma, R/o Village Jamtara, P.O. Jamtara, P.S. Dumri & District- Giridih.
 14. Nishant Kumar, aged about 29 years, S/o Ashok Prasad, R/o Village Ramdeo Kharika, P.O. Maheshra, P.S. Daru & District- Hazaribagh.
 15. Anup Kumar, aged about 31 years, S/o Sohan Ram, R/o Village Kanchan Nagri, P.O., P.S. Chandwa & District- Latehar.

16. Deepu Mukherjee, aged about 31 years, S/o Abni Dhar Mukherjee, R/o Village- Gandhi Nagar, Kanke, P.O. Kanke, P.S. Gonda & District- Ranchi.

17. Seema Kumari, aged about 34 years, D/o Nabulal Karmali, R/o Village Childag, P.O. Childag, P.S. Angara & District- Ranchi.

18. Archna Kumari, aged about 29 years, D/o Pramod Prasad, R/o Village Rusu, P.O., P.S. Kersai & District- Simdega.

19. Sunita Kumari, aged about 43 years, D/o Raghunath Mishra, R/o Village Indrapuri, P.O. Hehal, P.S. Sukhdev Nagar & District- Ranchi.

20. Hemant Mahato, aged about 43 years, S/o Mukund Lal Mahato, R/o Vill- Khiri, P.O. Soro, P.S. Ichagarh & District- Seraikela Kharsawan.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand, through its Chief Secretary, having its office at 1st floor, Project Building, Dhurwa, P.O., P.S. Dhurwa & District Ranchi.

2. The Secretary, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.

3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.

4. The Jharkhand Staff Selection Commission through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.

5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.

6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.

.....**Respondent (s)**

With

W.P.(S) No. 3401 of 2026

.....

1. Prabha Suri, Age about 38 Years, D/o Late Mahesh Suri, R/o Nayatoli, P.O. - Kantatoli, P.S.- Lower Bazar, District- Ranchi, Jharkhand.

2. Surendra Thakur, Age about 35 Years, S/o Sanichar Thakur, R/o Rajodih, P.O. Nawagarh Chatti, P.S. Dhanwar, District- Giridih, Jharkhand.

3. Saroj Kumari, Age about 38 Years, S/o Rambrit Ram, R/o Balu, P.O.-Kokdoro, P.S.- Pithoria, District- Ranchi, Jharkhand.

4. Vijay Kumar, Age about 40 Years, S/o Jugal Mahto, R/o Village-Baridih, P.O.- Baridih, P.S.- Ormanjhi, District-Ranchi, Jharkhand.

5. Anju Kumari, Age about 42 Years, D/o Nirbhay Kumar Singh, R/o Kanjiya, P.O.- Bedhana, P.S.- Itkhor, District-Chatra, Jharkhand.

6. Alok Kumar Yadav, Age about 37 Years, S/o Balram Yadav, R/o Village & P.O.- Badla, P.S.- Senha, District- Lohardaga, Jharkhand.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand, through its Principal Secretary, Department of School Education & Literacy, Govt. of Jharkhand, Project Bhawan, P.O. & P.S. Dhurwa, Ranchi.

2. The Director, Secondary Education, Department of School Education & Literacy, Govt. of Jharkhand, M.D.I. Building, Dhurwa, P.O. & P.S.-Dhurwa, Ranchi.

3. Jharkhand Staff Selection Commission, through its Secretary, Kalinagar, Chaay Bagan, Namkum, P.O. & P.S.- Namkum Ranchi.

4. Examination Controller, Jharkhand Staff Selection Commission, Kalinagar, Chaay Bagan, Namkum, P.O. & P.S.- Namkum, Ranchi.

.....**Respondent (s)**

With

W.P.(S) No. 3441 of 2026

.....

1. Jyoti Kumari, aged about 30 years, D/o Hari Narayan Yadav, R/o 147, Shukla Colony, Hinoo, P.O., P.S. Doranda & District- Ranchi.

2. Shruti Sen, aged about 25 years, D/o Tarani Sen Mahto, R/o Village Dokad, P.O. Rahe, P.S. Dokad & District- Ranchi.

3. Deepa Kumari, aged about 30 years, D/o Dinesh Kumar Mahato, R/o Village Garbhudih, P.O., P.S. Ladpur & District-Dhanbad.

4. Ramesh Kumar Sahu, aged about 40 years, S/o Shri Laxman Sahu, R/o Village Kuru Nawa Toli, P.O., P.S. Kuru & District- Lohardaga.

5. Lakshman Nayak, aged about 35 years, S/o Devi Nayak, R/o Village Karambu, P.O. Baredih, P.S. Karambu & District-Ranchi.

6. Upendra Kumar Yadav, aged about 30 years, S/o Satyendra Yadav, R/o Village Tota, P.O. Sasang, P.S. Chandwa & District- Latehar.

7. Bipin Kishor Khalkho, aged about 46 years, S/o Kunwar Khalkho, R/o Village Chittar Kota Barka Toli, P.O., P.S. Pali & District- Ranchi.

8. Rohit Kumar Karpur, aged about 36 years, S/o Mahendra Karpur, R/o Village Mahthandih, P.O. Domchanch Bazar, P.S. Koderma & District- Koderma.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand, through its Chief Secretary, having its office at 1st Floor, Project Building, Dhurwa, P.O., P.S. Dhurwa & District Ranchi.
 2. The Secretary, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.
 3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.
 4. The Jharkhand Staff Selection Commission, through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.
 5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.
 6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.
-Respondent (s)**

With

W.P.(S) No. 3442 of 2026

.....

1. Simran Choudhary, aged about 30 years, D/o Subhashchandra Choudhary, R/o Village Suardahi, P.O. Suardahi, P.S. Mohanpur, District – Deoghar, Jharkhand.
2. Karan Anand, aged about 37 years, S/o Prasuram Pandit, R/o Village Lahadih, P.O. Bahadurchak, P.S. Thakurgangti, District – Godda, Jharkhand.
3. Dinesh Rajak, aged about 33 years, S/o Puran Rajak, R/o Village Purnikharkhari, P.O. Jawahar Nagar, P.S. Birni, District – Giridih, Jharkhand.
4. Nasim Ansari, aged about 36 years, S/o Yusuf Ansari, R/o Village Baramsoli, P.O. Asna, P.S. Palojori, District – Deoghar, Jharkhand.
5. Kamrul Ansari, aged about 37 years, S/o Safik Ansari, R/o Village Dumariya, P.O. Deoghar, P.S. Deoghar, District – Deoghar, Jharkhand.
6. Md. Shahjada, aged about 42 years, S/o Md Athar Ali, R/o Village Chaktarana, P.O. Palojori, P.S. Palojori, District – Deoghar, Jharkhand.
7. Anju Rani, aged about 35 years, D/o Uday Kumar Mehta, R/o Village Senha, Barwa Toli, P.O. Senha, P.S. Senha, District – Lohardaga, Jharkhand.
8. Tarkeshwar Mahto, aged about 39 years, S/o Bhajohari Mahto, R/o Village Bela, P.O. Rahe, P.S. Sonahatu, District – Ranchi, Jharkhand.
9. Puja Bharti, aged about 29 years, D/o Ajit Kumar Bharmar, R/o 224/25 Behind SP Kothi, Dipughara, P.O. Hazaribagh, P.S. Hazaribagh, District – Hazaribagh, Jharkhand.

10. Jaya Bharti, aged about 30 years, D/o Ajit Kumar Bharma, R/o 224/25 Behind SP Kothi, Dipughara, P.O. Hazaribagh, P.S. Hazaribagh, District – Hazaribagh, Jharkhand.

11. Jay Prakash Kumar, aged about 30 years, S/o Sudhir Mehta, R/o Village Delha, P.O. Tarhasi, P.S. Tarhasi, District – Palamau, Jharkhand.

12. Abhishek Kumar, aged about 27 years, S/o Pankaj Kumar Sinha, R/o Village Pokhariyadih, P.O. Mandramo, P.S. Suriya, District – Giridih, Jharkhand.**Petitioner(s)**

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2. The Secretary, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District – Ranchi.

3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District – Ranchi.

4. The Jharkhand Staff Selection Commission, through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.

5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.

6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.**Respondent (s)**

With

W.P.(S) No. 4017 of 2026

.....

1. Priyanka Soren, aged about 40 years, D/o Marshalious Ansum, Village-Dhamour, P.O., P.S. Dhmpur, & District-Sahebganj.

2. Suresh Nayak, aged about 37 years, D/o Govind Saw, R/o Village Chiglama, P.O. Chuglano, P.S. Barkattha & District-Hazaribagh.

3. Pradip Prasad, aged about 35 years, S/o Basudev Prasad, R/o Village Jhunjhuri, P.O. Jhunjhuri, P.S. Barkattha & District- Hazaribagh.

4. Smriti Kumari, aged about 29 years, D/o Subas Modi, R/o Village Pethiyabagi, P.O., P.S. Jainagar & District- Koderma.

5. Durgi Lal Prasad, aged about 38 years, S/o Hiralal Mahto, R/o Village Jhunjhuri, P.O. Jhunjhuri, P.S. Barkattha & District- Hazaribagh.

6. Raghunandan Pandey, aged about 33 years, S/o Durga Prasad Pandey, R/o Sabara, P.O. Chandra, P.S. Chandan-kiyari & District- Bokaro.

7. Pankaj Kumar Verma, aged about 28 years, S/o Baldeo Mahto, R/o Village Sakhaibad, P.O. Dumka, P.S. Jamua & District- Giridih.

8. Laljeet Prasad Verma, aged about 31 years, S/o Dipnarayan Mahto, R/o Village Sakhaibad, P.O. Dumka, P.S. Jamua & District- Giridih.

9. Laxman Kumar Mahto, aged about 39 years, S/o Fani Bhushan Mahto, R/o Village Chitodih, P.O. Reladih, P.S. Bundu & District- Ranchi.. **Petitioner(s)**

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3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.

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5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.

6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.**Respondent (s)**

With

W.P.(S) No. 4818 of 2026

.....
1. Neha Kumari, aged about 25 years, D/o Raj Kishor Sahu, R/o Village Sangrampur, P.O. Boreya, P.S. Kanke & District – Ranchi.

2. Sarita Kumari, aged about 40 years, W/o Dr. Deepak Kumar, R/o Village Parsabad, Katia P.O. Parsabad, P.S. Jainagar & District – Koderma.

3. Rita Kumari, aged about 39 years, W/o Sunil Kumar, R/o Okni Teli Tola, Near Chota Shiv Mandir, P.O. Hazaribagh, P.S. Sadar & District – Hazaribagh.

4. Nitish Kumar, aged about 26 years, S/o Niranjan Kumar, R/o Village Horiya, P.O. Kuttipisi, P.S. Katkamsandi & District – Hazaribagh.

5. Pinky Devi, aged about 39 years, D/o Arun Sahu, R/o Village Parhepat, P.O., P.S. Kisko & District – Lohardaga.

6. Devasish Jha, aged about 26 years, D/o Brajesh Chandra Jha, R/o Village Lakhanpahari, P.O. Bandanwar, P.S. Pathargama & District – Godda.

7. Vishal Kumar Sharma, aged about 38 years, S/o Chhedi Thakur, R/o H. No. 58, Village Sangrampur, P.O. Sangrampur, P.S. Gola & District – Ramgarh.
8. Kunti Kumari, aged about 28 years, D/o Nehru Sahu, R/o Village Saipur, P.O., P.S. Simdega & District – Simdega.
9. Anupriya Ray, aged about 31 years, D/o Subhankar Ray, R/o Village Kadampur, P.O. Amlachatar, P.S. Jama & District – Dumka.
10. Ashok Kumar, aged about 37 years, S/o Kamla Choudhary, R/o Quarter No. 1318, Street-07, Sector-8/A, P.O. Sector-9, P.S. Harla & District – Bokaro.
11. Priyesh Kumar, aged about 30 years, S/o Sanjay Kumar Singh, R/o Village Palangi, P.O. Ambatand, P.S. Rajdhanwar & District – Giridih.
12. Randhir Kumar Dubey, aged about 34 years, S/o Ujjwal Dubey, R/o Village Baledeweri, P.O. Pandu, P.S. Keredari & District – Hazaribagh.
13. Pratima Kumari, aged about 44 years, D/o Uday Mahto, R/o Village Sahijana, P.O., P.S. Garhwa & District – Garhwa.
14. Prem Kumar, aged about 28 years, S/o Loknath Mahto, R/o Village Kedla, P.O. Kedla, P.S. Mandu & District – Ramgarh.
15. Ramswarup Kumar Mahto, aged about 35 years, S/o Babuli Mahto, R/o Village Karra, P.O. Saraiya, P.S. Padma & District – Hazaribagh.

.... **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand, through its Chief Secretary, having its office at 1st Floor, Project Building, Dhurwa, P.O., P.S. Dhurwa & District – Ranchi.
2. The Secretary, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District – Ranchi.
3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District – Ranchi.
4. The Jharkhand Staff Selection Commission, through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.
5. The Chairman, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.
6. The Examination Controller, Jharkhand Staff Selection Commission, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District – Ranchi.

.....**Respondent (s)**

With

W.P.(S) No. 6039 of 2026

.....

1. Rita Kumari, aged about 29 years, D/o Baldeo Prasad, R/o Village Gaipahari, P.O. Kalhabad, P.S. Barkatha & District- Hazaribagh.
2. Seema Lalita Minj, aged about 37 years, D/o Justin Minz, R/o Village Ranikhatanga, P.O. Ranikhatanga, P.S. Itki & District- Ranchi.
3. Shalu Jayswal, aged about 37 years, D/o Meghnath Prasad Jayswal, R/o 29, Kanke Road, Near Jawahar Nagar, Shree Bhandar, P.O. Ranchi University, P.S. Gonda & District- Ranchi.
4. Vikram Kumar Gope, aged about 29 years, S/o Puran Gope, R/o Village Telgaon, P.O. Telgaon, P.S. Gumla & District- Gumla.
5. Anita Kindo, aged about 38 years, D/o Bandhan Kindo, R/o Near Sisai Road, Puggu Champa Nagar, P.O. Armai, P.S. Gumla & District- Gumla.
6. Kishun Lal Mahto, aged about 40 years, S/o Mehi Lal Mahto, R/o Village Muraidihbasti, Near Hari Mandir, P.O. Pochari, P.S. Barora & District- Dhanbad.
7. Sangam Navin Kumar Yadav, aged about 37 years, S/o Ram Janma Yadav, R/o Village Sheetal Dawani, P.O. Shital Dawani, P.S. Bansdih Road, District- Ballia & State-Uttar Pradesh, PIN-277203.. **Petitioner(s)**

-VERSUS-

1. The State of Jharkhand, through its Chief Secretary, having its office at 1st floor, Project Building, Dhurwa, P.O., P.S. Dhurwa & District- Ranchi.
2. The Secretary, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.
3. The Director, Secondary Education, School, Education & Literacy Department, Government of Jharkhand, officiating at MDI Bhavan, Ground Floor, P.O., P.S. Dhurwa & District- Ranchi.
4. The Jharkhand Staff Selection Commission, through its Secretary, having its office at Kali Nagar, Chai Bagan, P.O., P.S. Namkum & District- Ranchi.
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.....**Respondent (s)**

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CORAM: **HON'BLE MR. JUSTICE DEEPAK ROSHAN**

For the Petitioner(s)

: M/s. Rupesh Singh, Chanchal Jain,
Abhishek Kumar, Abhijeet Indra Guru,
Sunil Kumar Mahto, Kunari Neha,

	Shubham Mishra, Gyandev Ran, Kazi Asif Iqubal, Advocates
For the Respondent (s)	: Mr. Sanjoy Piprawall, Advocate Mr. Prince Kumar, Advocate
For the Intervenors	: Dr. (Mrs.) Vandana Singh, Advocate Mr. Karandeo, Advocate

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09/29.08.2026

1. Heard learned counsel for the parties.
2. The petitioners in W.P.(S) No. 2934 of 2026 have prayed for following releifs:
 - A) *Direction upon the respondent Jharkhand Staff Selection Commission to show cause why the response keys of the petitioners have not been released while response keys of other candidates have been made available and have thereby deprived the petitioners to raise objection against the provisional answer key.*
 - B) *Direction upon the Jharkhand Staff Selection Commission to issue and/or enable access to the response key of the petitioners and grant reasonable opportunity to submit their objections.*
 - C) *To stay the selection process in connection with advertisement No. 2 of 2025*
 - D) *Quashing of the notice dated 23 April 2026 whereby a decision has been taken to conduct the re-examination of the petitioners along with several others, in as many as 2819 candidates have been directed to appear in re-examination on 08.05.2026.*
3. In these batch of writ petitions, demands of all the petitioners across the writ petitions is in relation to the recruitment process for appointment of secondary school teachers for classes 9 to 12. Hence the batch of writ petitions are disposed of by this common order.
4. Admitted position which comes out from the pleadings of the rival parties is that on 20 May 2025, the Recruitment and Service conditions Rules for Secondary School Teachers were notified by the State Government.

5. Sometime in June 2025, the advertisement inviting application for the post of secondary school teachers was published.
6. On 6 January 2026, it was informed by notice that examination of Paper-I consisting of Computer Knowledge, General knowledge, Hindi and English will be conducted on 15 January 2026 in different Centres across the district of Ranchi.
7. The examination for both Paper-I as also Paper-II were conducted on various dates between 15 January 2026 to 22 February 2026. Paper-I was qualifying exam and Paper-II was material for determination of merit.
8. The writ petition being W.P (S) No. 2934 of 2026 was listed before this Bench on 27 April 2026 and it was informed to this Court by the parties that related issue was pending before the Division bench of this Court in *WP (PIL) No. 2375 of 2024*. Accordingly, this writ petition was directed to be listed along with the aforesaid Public Interest Litigation.
9. As the order-sheet discloses that the matter was heard before the Division Bench on 7th of May 2026 and on that day, the petitioners have prayed for interim relief/ad-interim injunction against the respondents, restraining them from conducting the re-examination scheduled on 8th and 9th of May 2026.

10. The Division Bench of this Court by a detailed order refused to entertain the interim relief prayed by the writ petitioners on a *prima facie* opinion that the balance of convenience weighs heavily against the grant of such interim relief.

11. However, the Division bench permitted the petitioners to download their admit cards and appear for the re-examination without prejudice or under protest. The Division bench also noted that the petitioners are at liberty to appear in the re-examination without prejudice to the rights and contentions in these petitions.

12. On 18 August 2026, after hearing the parties, this Court posted the matter on 24 August 2026 for further hearing on the issue as to whether an enquiry or investigation should be ordered for the malpractices committed in the 1st round of examination for Paper-II. It is an admitted position that malpractices have been committed in the examination of Paper-II in the first round.

13. The order dated 18 August 2026 reads as under:-

“1. Heard learned counsels for the parties.

2. List this case on 24th August 2026 at 12:15 P.M. on the issue as to whether any enquiry or investigation should be ordered for the malpractice committed in the first round of examination which is an admitted position, now in the background that the respondent (Commission) has already taken re-examination and all the petitioners herein, have almost appeared in the examination and also few of them are successful and, finally they are not against the re-examination result, but the grievance of these petitioners confines only with regard to investigation with regard to first round of examination in the light of Act of 2023.”

14. Counsel for the petitioners have drawn attention of this Court to “*the Jharkhand Competitive Examination (Measures for Control and Prevention of Unfair means in Recruitment) Act, 2023*”.

15. Referring to the various Sections of the aforesaid Act of 2023, the petitioners have submitted that looking to the documents enclosed as Annexures- 6, 7 & 8 to the writ petition in WPS No. 2934 of 2026 which are screenshots of the *WhatsApp messages* and/or *emails* received by the petitioners from the respondent *Jharkhand Staff Selection Commission*, it is ostensible that the respondents have informed the petitioners with respect to suspicious activities and instances of unauthorized multiple logins during examination process which included unauthorized access methods and malpractices; such as, use of compromised input devices, the online examination Station terminal of the petitioners were reported under review in view of the provisions of the Act of 2023.

16. Annexure 7 to the writ petition is a notice dated 30 March 2026 issued after almost one and half months of the examination of IInd paper in the 1st round which had put the candidates like the petitioners on notice asking them to regularly check their emails and/or SMS on account of suspicious activities/unauthorized access.

17. Annexure 6 is another screenshot of the *WhatsApp message/SMS* informing the candidates/petitioners that their online examination Station Terminal Nos. are under review under Section 5 (c) of the Act of 2023 due to suspicious activity and multiple instances of attempted unauthorized access.

18. Referring to a communication dated 3rd of April 2026, it is submitted by the petitioners that they were directed to submit an affidavit duly notarized in the enclosed format, establishing that they were not involved in such activities and the said affidavit was to be submitted by the candidate before the Respondent-Commission by 10th of April 2026; failing which the commission would be entitled to initiate appropriate action against the candidate.

19. The petitioners contend that in compliance to the aforesaid directive they submitted their notarized affidavits before the *Jharkhand Staff Selection Commission*.

20. As per the notice dated 15 April 2026, the respondent Commission issued the final answer key on their website after considering the objections of the candidates to the provisional answer key but the Petitioners were prohibited from logging to see the Response Key/Answer key of the petitioners as also the final answer key published by the Commission.

21. On 23 April 2026, the respondent Commission issued another notice, whereby list of 2819 roll numbers of the candidates were published, informing them that on account of *suspicious activity/unauthorized access/technical error* noted in the Paper- II, re- examination is to be conducted on 08.05.2026.

22. While referring to the counter affidavit filed by the respondent *Jharkhand Staff Selection Commission*, attention of this Court has been drawn to annexure wherein a chart has been enclosed which indicates that the total number of candidates who appeared in the re-examination were 2355, total number of absent candidates were 482 and the total count of the candidates comes to 2837.

23. It has been argued by the petitioners that it was an admitted position by the respondents before the Division bench as also in the counter affidavit by way of Annexure G which is a notice dated 23 April 2026 containing a list of roll numbers of various candidates totalling to 2819 candidates who were informed that the Paper-II is scheduled on 8th of May 2026 and separate admit card for the re-examination would be issued. However, the total number of candidates who were permitted to appear in the re-examination as per Annexure-H to the counter affidavit is 2837 and this increase in the count of the candidates is completely unexplained.

24. The petitioners contend that in the garb of conducting the examination of 2819 candidates, the respondents have illegally included/ permitted 18 more candidates to appear in re-examination.

25. In response to this, the counsel for the respondent Commission has tried to justify by submitting that several candidates had applied for appointment to the post of secondary school teachers in various subjects and as such candidates having the same roll number had appeared in the re-examination of different subjects thereby resulting in difference in the count of candidates who had appeared in the re-examination.

26. Such a submission on part of the respondent Commission is neither pleaded in the counter affidavit, nor indicated from the concerned documents. It does not inspire the confidence of this Court because the Respondent Commission has not brought on record complete details of the 2819 candidates to buttress their submission.

27. The Court is not provided with the complete details and information by the Respondent Commission, which is in their custody. The Counter affidavit filed by the Respondent Commission is more or less a chronology of events in the examination process.

28. While referring to Annexure 'E' at page 33 to the counter affidavit, the petitioners have contended that looking to the list of the candidates appearing therein, who are petitioners in *WPS No. 2934 of 2026*, it is evident that for two candidates including Jitendra Prasad and Deepu Mukherjee; no details have been indicated in the column indicating network data pertaining to Computer Science subject. This indicates that no material is available to support the conclusion of the JSSC in relation to examination of Computer Science by the two petitioners.

29. It is further contended that details in the IP address and the network data column of the chart enclosed to the counter affidavit does not satisfy the contention of the respondent that the computer at the terminal allotted to the concerned petitioners were compromised and/or attempted to be logged in through unauthorized sources, inasmuch as, no details of such unauthorized sources like IP address and the network data are reflected in the chart.

30. As per the submission of the Counsel of the Respondents, the details of IP address and Network Data in the chart is original detail and not the unauthorized access detail.

31. At this stage, it is pertinent to mention here that the conclusion arrived at by the respondent Jharkhand Staff

Selection Commission to conduct the re-examination of 2819 candidates has been arrived at on the basis of a report/information furnished by the contractor agency who was entrusted to carry out the examination at the relevant examination Centres in the district of Ranchi.

32. The Respondent Jharkhand Staff Selection Commission has attempted to persuade the Court that in the light of the information furnished by the agency entrusted to conduct the examination, regarding unauthorized access/multiple attempts of login from external sources etc., the Respondents have acted bonafide and have been able to segregate the tainted candidates from the untainted ones.

33. This Court upon perusal of Annexure-E at page 33 of the counter affidavit, finds that the chart enclosed thereto with respect to the petitioners of the writ petition does not disclose the authorized and authentic IP address and Network data along with the unauthorized IP address and Network data by which it is alleged to have been attempted to login the system of online examination.

34. Even by way of sample, the respondents have not brought on record the details of few non-tainted candidates who have been segregated from the alleged tainted candidates and thereafter exempted from re-examination, to demonstrate the authenticity of their decision.

35. Section 5 of the Act of 2023 deals with possession of leakage of question paper or part thereof. Sub-Section (c) of Section-5 mandates that any person authorized by virtue of his duties shall not disclose the details of question paper in online examination to any unauthorized person, shall not tamper with any computer, local area network or server in order to do so.

36. Section-11 of the aforesaid Act provides that when the offence under the Act is committed by any management or institution or service provider contracted or ordered for examination; every person who at the time when the offence was committed was in charge of the business of the management or institution or service provider etc., for conducting the examination, they shall be deemed to be guilty of the offence and shall be liable to be prosecuted against and punished.

37. Thus, a wholesome reading of the Act of 2023 makes it abundantly clear that the respondents are duty bound to institute a criminal prosecution in the event of any malpractices committed in the conduct of the examination. Surprisingly, the respondents in the counter affidavit have averred that they have adopted a lenient view and have not debarred the candidates allegedly involved in malpractices

and have permitted them to appear in re-examination in interest of justice.

38. This Court is unable to appreciate such benevolent conduct of the Respondent-Commission which does not conform to the provisions of the Act of 2023. It appears that the respondents are avoiding institution of criminal prosecution in order to protect the actual culprits which may be their own officers/employees or the agency contracted or ordered for conducting the examination and/or the concerned computer Centres which were nominated as examination centres.

39. Nowhere it has been pleaded that any action has been taken against the concerned computer Centres where the candidates have been alleged to be involved in unauthorized access and/or indulging in malpractices.

40. This Court is unable to appreciate that how the respondent Commission has come to the conclusive decision that the alleged irregularity/illegalities/malpractices/access through unauthorized sources in the online examination was attempted solely through the candidates who have been made to appear in the re-examination and that the management of the examination Centre or the agency contracted for conducting the examination are nowhere involved in the said malpractices.

41. As it transpired in the course of hearing, the respondent Commission has not even issued any show cause notice or blacklisted the concerned examination Centre where such alleged illegalities have been committed.

42. The petitioners while referring to Annexure-E at page 33 to the counter affidavit have submitted that evidently and apparently from the list of examination Centres indicated therein, a total of 15 Centres have been named in the list where the alleged illegality has been committed in relation to the petitioners in single writ petition.

43. It has been orally submitted by the petitioners that approximately 30 to 35 Centres were nominated for conducting the online examination and almost 50% of such Centres (where the petitioners appeared in the examination) have been found to be affected by the malpractices committed in the online examination as per Annexure 'E' to the counter affidavit.

44. It is next submitted by the Petitioners that had the entire list of examination Centres disclosed by the Respondent with the details of the 2819 candidates, probably all the Centres would have been found to be involved in the illegality/malpractices.

45. Having heard the contentions of the rival parties, this Court is of the opinion that since the petitioners and other

candidates have appeared in the re-examination conducted by the Respondent Commission, in the light of the order passed by the Division bench on 7th of May 2026, it would not be in the interest of justice to interdict the process of recruitment by halting the process of appointment.

46. However, this Court is conscious of the fact that the Division Bench while refusing the interim relief to the petitioners has held that the appearance in the re-examination would be without prejudice to their rights and contentions in these petitions.

47. It is an admitted position that the conduct of the examination by the Respondent Commission is based upon the information/report submitted by the contractor agency entrusted with the responsibility of conducting the online examination and not by any independent third-party agency.

48. Such an action by the Respondent Commission solely on the basis of the report of the Contractor agency amounts to being 'Judge of his own cause'.

49. The Contracted agency who cannot conduct the examination fairly has been given a clean chit by the Respondent Commission on the basis of the report submitted by the concerned agency itself. Till date, the respondent Commission has not proceeded with any full-fledged third-party enquiry through an expert to identify and pinpoint the

sources and the persons as also the location from where the alleged attempts of repeated login were made in the online examination with different IP address and network data.

50. It is an established position in law that no one can be the judge of his own cause and that justice should not only be done but should also appear to have been done.

51. Considering the provisions of law in the Act of 2023, this Court is unable to appreciate as to why the respondents are shying away from enquiry/investigation by a third-party agency including criminal prosecution. Charity against the law and sympathy beyond Law (legislative mandate) amounts to perpetuating illegality.

52. The Hon'ble Supreme Court in the case of ***Vanshika Yadav*** reported in ***(2024) 9 SCC 743 para 103***, has held that all instances of use of unfair means must be dealt with firmly.

53. It has been urged by the Petitioners that there may be systemic flaws in the conduct of examination and a more thorough process needs to be put in place to investigate the alleged illegality. It has been urged that though the Petitioners are the candidates who have been put under suspicion by the Respondent Commission but they are themselves seeking criminal investigation in the matter as they are rest assured about their innocence.

54. The Petitioners have submitted that if criminal investigation is not conducted, not only the real culprits would go scort-free but it would further embolden the offenders to indulge in further attempts in future examinations thereby jeopardizing the recruitment process in the State.

55. The Hon'ble Supreme Court in the case of ***State of west Bengal Vs. Baisakhi Bhattacharya*** reported in **2025 SCC Online SC 719** vide Para 19 has held as here under:

“19. The following principles emerge from the aforesaid discussion:

- When an in-depth factual inquiry reveals systemic irregularities, such as malaise or fraud, that undermine the integrity of the entire selection process, the result should be cancelled in its entirety. However, if and when possible, segregation of tainted and untainted candidates should be done in consonance with fairness and equity.*
- The decision to cancel the selection en masse must be based on the satisfaction derived from sufficient material collected through a fair and thorough investigation. It is not necessary for the material collected to conclusively prove malpractice beyond a reasonable doubt. The standard of evidence should be reasonable certainty of systemic malaise. The probability test is applicable.*
- Despite the inconvenience caused to untainted candidates, when broad and deep manipulation in the selection process is proven, due weightage has to be given to maintaining the purity of the selection process.*
- Individual notice and hearing may not be necessary in all cases for practical reasons when the facts establish that the entire selection process is vitiated with illegalities at a large scale.”*

56. In view of the above principle laid down by the Hon'ble Apex Court, it is not in the interest of justice to cancel the entire selection process in the present circumstances.

57. However, thorough and fair investigation in the matter is necessary to identify the actual culprits, in order to ensure that the offenders are put to justice and sufferers/victims are not harassed due to any motivated

action by the persons at the helm of affair. This would not only repose the faith of the innocent meritorious candidates in the examination system and the judiciary but also act as a deterrent to the offenders.

58. It is beyond logic and reasoning as to why the respondent-Commission till date has not lodged any F.I.R. and is relying on the Contracted Agency' report, when the Act of 2023 provides for criminal prosecution in the matters of use of unfair means in examination.

59. This Court is unable to appreciate the conduct of the Respondents rendering the said Act of 2023 by the State Legislative assembly only for archive purposes and not being put in action to achieve its objective.

60. The Hon'ble Supreme Court in the case of ***Gullappalli Nageswara Rao v. State of A.P.***, reported in ***AIR 1959 SC 1376***, vide para 6 has held that no man shall be a Judge in his own cause; and justice should not only be done but manifestly and undoubtedly seem to be done.

61. In the instant case, the conduct of the Respondent Commission solely relying on the report of the Contracted Agency for re-examination of 2819 candidates and assuming no further malpractice has been committed, is manifestly erroneous.

62. The involvement of an expert agency of independent stature to investigate would have only added to the independence of the decision of the Respondent from any suspicion or *mala-fide*. It would have also inspired faith and confidence of the candidates in the examination process and also resulted in implementation of the mandate of law under the Act of 2023. The invocation of the provisions of Act of 2023 cannot be discretionary and selective.

63. Given the role of examination in shaping the future generation of the Country, and the fact that the successful candidates would be imparting education to our future generations who may be adorning important private or public or constitutional posts, it is in the interest of one and all that the culprits are put to justice.

64. This Court has put specific question to the Ld. Counsel for Respondent-JSSC viz., the name of the agency which was contracted for conducting the examination, whether the particular computer terminals of an examination Centre was hacked or the entire Centre / server of the Centre was hacked or the software of the contracted agency itself was compromised; when the contracted agency itself has admitted that there has been unauthorized activity, then can the report of the same agency be relied upon to conclude

against 2819 candidates and as to why no action /FIR has been lodged in view of the mandate of the Act of 2023.

The Respondent's counsel was unable to give any reply lest satisfactory reply to the above queries. There was no answer to the question that how it can be safely concluded that none amongst the rest of the candidates have not indulged in compromising the examination process.

65. In the aforesaid background, the Chief Secretary of the State of Jharkhand is directed to forthwith lodge an FIR in the matter before *Criminal Investigation Department (CID)* against unknown culprits who have soiled the purity of the selection process.

66. It is expected that the CID will conduct fair and speedy investigation and bring the offenders before law and put them to face trial within such time as prescribed under the provisions of BNSS.

67. The appointments, if any, given by the Respondents, shall be made subject to the criminal investigation and its conclusion.

68. The Respondent Commission shall extend all co-operation in the investigation including but not limited to preserving the important data of both 1st round of examination and the re-examination. It shall ensure that its

contractor agency and the examination Centres shall fully co-operate in the investigation.

69. Since the appointment is made subject to criminal investigation and its conclusion, the petitioners and other candidates whose roll numbers were reflected in the list of 2819 candidates shall be disclosed their merit in the 1st round of examination both Paper I & II, without prejudice to the outcome of criminal investigation. This is so because in the event one or other candidate falling in the list of 2819 candidates is found not involved in use of any unfair means, they may not be left remedy-less to ventilate their grievance if any.

70. The Respondent JSSC shall within two weeks from today, issue, communicate and release the marks of all the candidates whose roll numbers are reflected in the list of 2819 candidates and were asked to appear in re-examination. This will not have any bearing on the criminal case to be instituted.

71. The Respondent State or JSSC shall be at liberty to undertake any departmental action in the matter against those who are found and/or involved in undermining the purity of examination for appointment of Secondary School Teachers for Classes 9 to 12.

72. The Respondents are at liberty to take such further action as may be necessary in accordance with law, based on the investigation report.

73. In view of the order passed, I.A. No. 8860/2026 (W.P.(S) No. 2934 of 2026) by the petitioners does not require any further indulgence and is accordingly closed.

74. Accordingly, all these writ applications stand disposed of in the aforesaid terms. Pending I.As., if any, also stands closed.

(Deepak Roshan, J)

29.08.2026

Amardeep/
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