

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NOS. 3412-3414 OF 2024]

KUMAR PRAVEEN
PRATAP & ORS. ETC.

... Appellant(s)

VERSUS

BIHAR STAFF SELECTION
COMMISSION & ORS. ETC.

... Respondent(s)

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 2617 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 2729 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 2187 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 6200 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 5600 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 4797 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 9021 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 9020 OF 2024]

CIVIL APPEAL NO(S) . OF 2026
[@ SLP (C) NO. 10930 OF 2024]

O R D E R

1. Leave granted.
2. Interlocutory Applications for impleadment of persons and application for transposition of Respondent No.29 as Petitioner, stand allowed.
3. These appeals emanate from the common judgment and order dated 06.12.2023 passed by the High Court¹ by which the Division Bench allowed the Letters Patent Appeals (LPAs) preferred by the Bihar Staff Selection Commission (the 'Commission') and set aside the judgment dated 03.03.2021 passed by the learned Single Judge. The Appellants have also assailed the validity of the order dated 14.12.2021.
4. Facts giving rise to filing of these appeals in a nutshell are that the appellants were appointed on different dates between 2005 and 2010 on contract basis to the post of Lab Technician/X-ray Technician in Government Medical Institutions. The recruitment to the said post was

¹ High Court of Judicature at Patna

governed by Bihar Lab Technician Cadre Rules 2014. On 21.06.2015, the Commission published an advertisement for regular appointments to the post of Lab Technician/X-ray Technician. The prescribed qualification was a Diploma in Medical Laboratory Technology (DMLT).

5. The appellants participated in the aforesaid selection process. The appellants possessed a Bachelor Degree in Medical Laboratory Technology (BMLT) i.e., the higher qualification. However, during the counselling process undertaken by the Commission, the appellants were apprised of the fact that they do not have the requisite qualification, namely the Diploma. Being aggrieved, the appellants, approached the High court by way of filing a Writ Petition, which was disposed of on 30.06.2016 with a direction to the Commission to determine the eligibility of candidates based on the validity of recognized degree/qualification and to consider the candidates possessing valid higher qualification.

6. In compliance of the aforesaid direction, the Commission permitted the appellants to participate and completed the counselling process. On 29.05.2020, the result for regular appointment was published which did not include the names of the appellants.

7. The appellants, thereupon, again approached the High Court. The learned Single Judge of the High Court by an order dated 03.03.2021, directed revision of the merit list and reconsideration of appellants' inclusion in the said list. Being aggrieved, the Commission preferred a series of Letter Patent Appeals before the Division Bench. The Division Bench by an order dated 06.12.2023 set aside the judgment and order dated 03.03.2021 of the learned Single Judge and allowed the Letter Patent Appeals. In this factual background, these appeals arise for our consideration.

8. We have heard learned counsel for the parties at length.

9. The view taken by the Division Bench is in consonance with the law laid down by this Court, namely:

(i) on a post intended for candidates possessing lower qualification, permitting candidates of a higher qualification would result in depriving the genuinely eligible and deserving candidates²;

(ii) that the selection process must be held in consonance with the rules in-vogue at the time when the selection process had commenced and the rules of a game cannot be

² General Manager (HR) and Another vs. K. Poovarasam, 2026 SCC Online SC 1048

changed after the game is played³.

Therefore, we are not inclined to interfere with the judgment of the High Court.

10. However, we cannot lose sight of the fact that the appellants have rendered service as Lab Technician/X-ray Technician in Government institutions for more than fifteen years. It is not in dispute that 610 posts are yet to be filled up. Considering the long period of services provided by the appellants, interest of justice would be subserved if a direction for regularization of the services of the appellants is issued. We accordingly issue the following directions:

A. The State Government shall formulate a scheme for regularization of the appellants to the post of Lab Technician/X-ray Technician and shall regularize the services of the appellants.

B. The appellants shall neither be entitled to the benefit of seniority nor to the benefit of pay-scale of the post of Lab Technician/X-ray Technician for the period prior to their regularization.

C. The period of service rendered by the appellants shall

³ K. Manjusree vs. State of Andhra Pradesh and Another, (2008) 3 SCC 512; and Abhay Kumar Patel and Others vs. State of Bihar and Others, 2026 SCC Online SC 20

be reckoned for the purposes of the pension, if the post of Lab Technician/X-ray Technician is otherwise pensionable.

D. Liberty is granted to the State to decide whether the appointment of the appellants to the post of Lab Technician shall be treated as an extra cadre contractual appointments or within the cadre.

E. The interim order dated 05.02.2024 directing the parties to maintain *status quo* is vacated.

F. The State is granted liberty to fill up remaining vacant posts.

It is clarified that these directions are issued in the peculiar facts and circumstances of the case and are confined to the appellants before this Court.

11. Accordingly, the appeals are disposed of.

.....J.
[PAMIDIGHANTAM SRI NARASIMHA]

.....J.
[ALOK ARADHE]

NEW DELHI;
AUGUST 11, 2026.

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (C) No(s). 3412-3414/2024

[Arising out of impugned final judgment and order dated 06-12-2023 in LPA No. 376/2021 06-12-2023 in LPA No. 663/2021 14-12-2021 in CWJC No. 7761/2020 passed by the High Court of Judicature at Patna]

KUMAR PRAVEEN PRATAP & ORS.

Petitioner(s)

VERSUS

BIHAR STAFF SELECTION COMMISSION & ORS.

Respondent(s)

[FOR FINAL DISPOSAL]

IA No. 77372/2025 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 20510/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 46630/2024 - EXEMPTION FROM FILING O.T.

IA No. 20512/2024 - EXEMPTION FROM FILING O.T.

IA No. 77374/2025 - EXEMPTION FROM FILING O.T.

IA No. 52872/2024 - INTERVENTION/IMPLEADMENT

IA No. 46628/2024 - INTERVENTION/IMPLEADMENT

IA No. 52682/2026 - INTERVENTION/IMPLEADMENT

IA No. 317994/2025 - INTERVENTION/IMPLEADMENT

IA No. 251389/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 13519/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(C) No. 2617/2024 (XVI)

FOR EXEMPTION FROM FILING O.T. ON IA 23911/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 23914/2024

FOR impleading party ON IA 52864/2024

FOR INTERVENTION/IMPLEADMENT ON IA 52864/2024

FOR impleading party ON IA 53034/2024

FOR INTERVENTION/IMPLEADMENT ON IA 53034/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 106918/2025

IA No. 23911/2024 - EXEMPTION FROM FILING O.T.

IA No. 53034/2024 - INTERVENTION/IMPLEADMENT

IA No. 52864/2024 - INTERVENTION/IMPLEADMENT

IA No. 106918/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 23914/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 2729/2024 (XVI)

FOR EXEMPTION FROM FILING O.T. ON IA 25556/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 25557/2024
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 48407/2025

IA No. 25556/2024 - EXEMPTION FROM FILING O.T.

IA No. 48407/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 25557/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 2187/2024 (XVI)

FOR EXEMPTION FROM FILING O.T. ON IA 20201/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 20203/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 106890/2025

IA No. 20201/2024 - EXEMPTION FROM FILING O.T.

IA No. 106890/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 20203/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 6200/2024 (XVI)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 50292/2024

FOR EXEMPTION FROM FILING O.T. ON IA 50294/2024

FOR INTERVENTION APPLICATION ON IA 53255/2025

IA No. 50292/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 50294/2024 - EXEMPTION FROM FILING O.T.

IA No. 53255/2025 - INTERVENTION APPLICATION

SLP(C) No. 5600/2024 (XVI)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 42813/2024

FOR EXEMPTION FROM FILING O.T. ON IA 42814/2024

FOR impleading party ON IA 98077/2024

FOR INTERVENTION/IMPLEADMENT ON IA 98077/2024

IA No. 42813/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 42814/2024 - EXEMPTION FROM FILING O.T.

SLP(C) No. 4797/2024 (XVI)

FOR EXEMPTION FROM FILING O.T. ON IA 47786/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 47788/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 106939/2025

IA No. 47786/2024 - EXEMPTION FROM FILING O.T.

IA No. 106939/2025 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES

IA No. 47788/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 9021/2024 (I-B)

FOR EXEMPTION FROM FILING O.T. ON IA 84963/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 84966/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 113582/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 106942/2025

IA No. 84963/2024 - EXEMPTION FROM FILING O.T.

IA No. 106942/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 113582/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 84966/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 9020/2024 (I-B)

FOR EXEMPTION FROM FILING O.T. ON IA 82257/2024

FOR PERMISSION TO FILE LENGTHY LIST OF DATES ON IA 82258/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 88414/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 107250/2025

IA No. 82257/2024 - EXEMPTION FROM FILING O.T.

IA No. 107250/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 88414/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

IA No. 82258/2024 - PERMISSION TO FILE LENGTHY LIST OF DATES

SLP(C) No. 10930/2024 (I-B)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 99589/2024

FOR EXEMPTION FROM FILING O.T. ON IA 99590/2024

IA No. 99589/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 99590/2024 - EXEMPTION FROM FILING O.T.

SLP(C) No. 17237/2024 (XVI)

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 163551/2024

FOR EXEMPTION FROM FILING O.T. ON IA 163552/2024

IA No. 163551/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 163552/2024 - EXEMPTION FROM FILING O.T.

Date : 11-08-2026 These matters were called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA
HON'BLE MR. JUSTICE ALOK ARADHE**

**For Petitioner(s) :Mr. Rakesh Kumar Singh, AOR
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Mr. Binod Kumar Singh, Adv.
Mr. K.v.alok Shankeran, Adv.
Mr. Ritesh Kumar, Adv.**

**Mr. Satya Kam Sharma, AOR
Mr. Varun Singh, Adv.**

Mr. Santosh Kumar, Sr. Adv.
Mr. Madhurendra Sharma, Adv.
Mr. Rajiv R. Mishra, Adv.
Ms. Suruchi Yadav, Adv.
Mr. Yadav Narender Singh, AOR

Mr. Gaurav Agarwal, Sr. Adv.
Ms. Ekta Choudhary, AOR
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Mr. Gagan Gupta, Sr. Adv.
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Ms. Koshima Arora, Adv.

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Mr. Shivam Singh, Adv.
Mr. Yasharth Kant, AOR
Mr. Ishwar Singh, Adv.

Mr. Arun K. Sinha, AOR
Mr. Rakesh Singh, Adv.
Mr. Sumit Sinha, Adv.

Mr. Anil Kumar, AOR

Mr. Ranjeet Kumar, Sr. Adv.
Mr. Samir Ali Khan, AOR
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Ms. Poonam Atey, Adv.

Mr. Arvind Gupta, AOR
Mr. Mithilesh Kumar, Adv.
Mr. Ashwini Kumar, Adv.
Mr. Priyanshu Kumar, Adv.

Mr. Anant Kumar Vatsya, AOR
Mr. Niraj Kumar Mishra, Adv.
Mr. Ashish Kumar Sinha, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. Interlocutory Applications for impleadment of persons and application for transposition of respondent no. 29 as Petitioner, stand allowed.
3. The Civil Appeals are disposed of in terms of the Signed Order.
4. Pending application(s), if any, shall stand disposed of.

(KAPIL TANDON)
COURT MASTER (SH)

(NIDHI WASON)
ASSTT. REGISTRAR(NSH)

(Signed Order is placed on the file)