

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1186 of 2015

- =====
1. Braj Kishore Singh, son of Sri Janardan Prasad Singh, Resident of Village + P.O. – Soharthi, P.S. – Jandaha, District – Vaishali
 2. Ram Naresh Das, Son of Shri Bhuvneshwar Das, Resident of Village – English Khajbatta, P.O. – Chaksikandar, P.S. – Biddupur, District – Vaishali
 3. Murari Kumar, Son of Sri Sita Ram Choudhary, Resident of Village - P.O.- Kharonadih, P.S. – Kudhani, District- Muzaffarpur
 4. Md. Sallahuddin Haider @ Md. Salahuddin Haider, son of Zaaluddin @ Md. Jalaluddin, Resident of Village – Besi Baijnath, P.O.- Aurai, P.S. – Aurai, District – Muzaffarpur
 5. Raj Kumar Singh Son of Sri Gopal Singh, Resident of Mohalla – New Kunj Colony, East Bahadurpu, P.S. – Bahadurpur, District – Patna
 6. Anil Kumar Singh, son of Ramadhar Prasad Sharma, Resident of Village + P.O.- - Soharthi, P.S. – Jandaha, District – Vaishali
 7. Mina Kumari, Wife of Sri Bhagarasan Manjhi, Resident of Village + P.O.- - Tilota Rasulpur, Via – Daronda, P.S. – Pachrukhi, District - Siwan

.... Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Bihar, Patna
3. The Director, Primary Education, Government of Bihar, New Secretariat, Bihar, Patna
4. The Joint Secretary, Education Department, Government of Bihar, Patna

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit

For the Respondent/s : Mr. SC16- ABBAS HAIDER

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 29-01-2015

29.01.2015

Heard learned counsel for the parties.

Since the 2012 Rules requires passing of TET as mandatory, there is no way this Court is going to dilute the requirement of the rules, whatever be the background, under which they were initially prevented from zone of consideration due to lack of validity of the degree, they had obtained from an institution.

If the Hon'ble Division Bench as well as the Apex Court has upheld that the degrees acquired are valid, it only means that their claim for consideration on such degrees will be maintained. However, their obligation and requirement of passing TET, which is mandatory in terms of the 2012 amendment, will not be diluted, because petitioners have been waging their legal battle for recognition of their degree over a long period of time.

Writ application, therefore, is dismissed. If the petitioners pass TET, they surely have a right for consideration on the basis of the degree they have obtained from the institution.

(Ajay Kumar Tripathi, J.)

SKM/-

U			
---	--	--	--