

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.215 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 11444 of 2011
Along with
Interlocutory Application No.1001 of 2015**

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Chunchun Pandit, son of Late Banshi Pandit, resident of Village - Gadipiyarbad,
Police Station - Sumurtala, District - Jamui.

.... Appellant

Versus

1. The State of Bihar.
2. The District Education Officer (D.E.O) Appellate Authority District - Jamui.
3. The District Education Secretary, District - Jamui.
4. The District Magistrate (D.M) District - Jamui.
5. The Education Director Old Secretariat, P.S. and District Patna.
6. The Education Secretary Old Secretariat, P.S. and District Patna.

.... Respondents

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Appearance :

For the Appellant : None

For the Respondents : Mr. Harish Kumar, G.P.-32

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

And

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 22-04-2016

None had put in appearance on behalf of the appellant
yesterday when the case was called out. Today again, none has put
in appearance on behalf of the appellant.

Re.: Interlocutory Application No.1001 of 2015

The application is for condonation of delay of 1 year
and 177 days in filing of the appeal.

For the reasons mentioned in the application, we find
that sufficient cause is disclosed for condonation of delay.
Consequently, the delay of 1 year and 177 days in filing of the

appeal is condoned.

Interlocutory Application stands disposed of accordingly.

Re.: Letters Patent Appeal No.215 of 2015

The order dated 24th of February, 2012 passed by the learned Single Bench of this Court in C.W.J.C. No.11444 of 2011 is subject matter of challenge in the present Letters Patent Appeal.

The issue is as to whether All India Correspondence Coaching Society, Kolkata is a recognized institution for the purpose of imparting Degree or Diploma in Education. The learned Single Bench has rightly found that mere registration of the institution under the Societies Registration Act by itself does not give it legal status for dispensing of the Degree of the kind as pre-requisite for such appointment.

In fact, the Diploma or Degree conferred by such institution was subject matter of consideration before a learned Single Bench of this Court in a judgment in the case of Sikandar Prasad Sah & Ors. Vs. The State of Bihar & Ors. 2009(1) P.L.J.R. 823, wherein not only Degrees conferred by such institutions are held to be not recognizable, but also investigation were ordered in respect of the institutions in question with a view to find out whether they are engaged in committing frauds and in cheating students from

Bihar by pretending that they are proper institutions equal to or affiliated to Universities and Boards, having recognition of various Governments. The said judgment has been affirmed by the Division Bench of this Court in L.P.A. No.244 of 2011, (Shiv Narayan Thakur Vs. The State of Bihar & Ors.) decided on 14.09.2012.

In view of the said judgment, we do not find any error in the order passed by the learned Single Bench which may warrant interference in the present intra court appeal.

The Letters Patent Appeal thus stands dismissed.

(Hemant Gupta, J.)

(Ahsanuddin Amanullah, J.)

Sunil/-

AFR/NAFR	
CAV DATE	N.A.
Uploading Date	
Transmission Date	