

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2943 of 2013

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1. Dharmendra Kumar Son Of Sri Munka Roy Resident Of Village - Rampur
Kichani Desari, P.S. Desari, District - Vaishali

.... Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department,
Government Of Bihar, Patna
3. The District Magistrate, Vaishali
4. The District Programme Officer (Establishment), Vaishali
5. The District Education Officer, Vaishali
6. The Block Development Officer, Cheharakala, Vaishali

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr.

For the State : Mr. Rajeev Shekhar, AC to GP24

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 13-01-2016

On 12.1.2016 when the case was called out, no one was present on behalf of the petitioner.

Today also no one appears on behalf of the petitioner to press this application. However, learned counsel for the State is present.

In view of absence of the petitioner, this Court has no other alternative but to dispose of the case on its own merit.

In the present case, the petitioner is challenging the action of the respondent in refusing to recognize the degree granted by Central Teachers Eligibility Test (CTET) which he has passed from the Central Board of Secondary Education, Delhi claiming his candidature was wrongly refused to be taken into consideration. The petitioner in pursuance of advertisement

issued in 2011 in connection with third phase of appointment of Panchayat Teacher applied for the post of Panchayat Teacher. The case of the petitioner was not taken into consideration as it was found that petitioner does not possess the eligible qualification as prescribed under the advertisement.

It appears that petitioner is claiming his selection on the strength of the qualification he has obtained from Central Board of Secondary Education, Delhi. As per statement made in the counter affidavit and submission made by the State that the degree of Central Board of Secondary Education, Delhi has not been recognized by the State of Bihar nor by the CBSE which has been stated in paragraph 7 and 8 of the counter affidavit and on that ground the petitioner's candidature was not taken into consideration.

There is no any reply to this counter affidavit and specifically the State has brought the list of recognized institutions which has been recognized by the CBSE and where the name of the said institution does not find figure.

In such view of the matter, this Court feels that petitioner could not make out a case in his favour.

Accordingly this writ petition is dismissed.

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(Shivaji Pandey, J)