

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.867 of 2014

IN

Civil Writ Jurisdiction Case No. 23001 of 2012

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Chandeshwar Ram, S/o Sri Indradev Ram Resident of Village and Post- Chak
Ahlad, P.S- Vaishali, Distt- Vaishali. Appellant/s

Versus

1. The State of Bihar
 2. The Director Primary Education, Govt. of Bihar, New secretariat, Patna.
 3. The District Education Officer, Muzaffarpur.
 4. The District Programme Officer (Establishment), Muzaffarpur.
 5. The Headmaster, Upgraded Middle School, Madhubani, Anchal and P.S-
Musahari, District- Muzaffarpur. Respondent/s
- =====

Appearance :

For the Appellant/s : Mr. Sidharth Shanker Roy, Advocate
Mr. Bijay Shankar Choubey

For the Respondent/s : Mr. Prabhaker Jha, GP-27
Mr. Shanker Kumar Thakur, AC to GP-27

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 24-03-2017

Heard learned counsels for the parties.

The writ application of the appellant was dismissed by the Learned Single Judge on 01.04.2014, because he refused to interfere with the order and decision dated 28th of September, 2012, by which the appointment of the appellant as Assistant Teacher was cancelled. The reason for dismissal of the writ application was that the appellant, who had obtained employment on the so called qualification, obtained from Board of Higher Secondary Education, Delhi, which should not be misread as Central Board of Secondary Education, is not a recognized educational institution, but a degree seller institution.



The Learned Single Judge dealt with the matter. Despite indulgence shown and repeated questioning, no material or evidence was produced to show that the so called Board of Higher Secondary Education, Delhi is an educational institution and whose so called degrees have any legal value in the eye of law.

Besides all these, the Learned Single Judge has still given an opportunity to the appellant to satisfy the authorities. He can still lay hands to procure authentic materials to prove the authenticity of the degree obtained from this institution.

This Court had had an occasion to deal with such degree and institution. The findings have been consistently given by various Benches that this institution is a hoax and it only sells degree with no legal education behind the said degree.

In totality, therefore, the dismissal of the writ application by the Learned Single Judge cannot be said to be erroneous.

Writ application has no merit, it is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

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