

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.1464 of 2015  
IN  
Civil Writ Jurisdiction Case No. 2373 of 2013**

- =====
1. Dinesh Kumar Ram, Son of Madan Ram, Resident of village- Khedarpur, P.O.- Bahadurpur, P.S.- Dalsinghsarai, District- Samastipur
  2. Wakil Ram @ Okil Ram, Son of Ramashish Ram, resident of village & P.O.- Chapar, P.S.- Mohiuddin Nagar, District- Samastipur
  3. Niwas Paswan, son of Janak Paswan, resident of village- Mahmadpur, P.O. & P.S.- Mohiuddin Nagar, District- Samastipur
  4. Arbind Kumar, son of Ram Bilas Mahto, resident of village- Sirisia, P.O.- Tajpur, P.S.- Bangra, District- Samastipur
  5. Maheshwar Kumar, son of Gyan Chand Paswan, resident of village, P.O. & P.S.- Ujarpur, District- Samastipur
  6. Shankar Ram, Son of late Jharokhi Ram, resident of village- Behal South, Tola Pathrahi, P.O. & P.S.- Jhanjharpur, District- Madhubani

.... .... Appellants

Versus

1. The State of Bihar
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna
3. The Director, Primary Education, Govt. of Bihar, Patna
4. The District Education Officer, Madhubani
5. The District Project Officer, Madhubani
6. The District Magistrate, Madhubani
7. The Secretary, Bihar Staff Selection Commissioner, Patna

.... .... Respondents

=====

**Appearance :**

For the Appellants : Mr. Ashok Kumar Mishra, Advocate  
Mr. Varun Kumar, Advocate  
For the State : Mr. Ravi Verma, AC to GP-4

=====

**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI**

**and**

**HONOURABLE JUSTICE SMT. NILU AGRAWAL**

ORAL JUDGMENT

**(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)**

**Date: 11-01-2017**

The limitation petition is allowed. The delay is condoned under the circumstances indicated in the limitation petition.

The Appeal itself has also been taken up on merit. The



challenge is to the order of the learned Single Judge dated 22.04.2014, passed in C.W.J.C. No. 2373 of 2013, who has rejected the prayer and the relief of these petitioners to give recognition to the so called training certificate which they have obtained from Dr. Bhim Rao Ambedkar Hindi Sanskrit Vidyapith, Jokia, Begusarai for the purposes of appointment as Assistant Teachers under the State of Bihar.

There are enough materials on record even in the writ application to show that the status of this institution was well enquired into and there are even judicial pronouncements to say that the institution's certificate of training can not be given any weightage across the State. In his regard the order dated 19.03.2012, passed in C.W.J.C. No. 4854 of 2012 is of significance.

It seems that this issue was also looked into by the Director, Primary Education, Government of Bihar, Patna. A detailed enquiry was held and thereafter a notification dated 07.01.2013 has been issued, which clearly indicates that this institution is a fake institution not having any recognition or approval or permission to conduct any kind of training in the State of Bihar. In fact, it is a non-existent kind of institution, which was established for oblique reason. On the actual physical verification, except for a Board in a remote corner of a village, there is nothing subsisting or existing.



Education is a serious business. The career of the generation next is based on the quality of education imparted. If persons, who do not have any education, manage to gain employment on the basis of fake or fraudulent kind of certificates obtained from a non-recognized intuition, then great damage is going to occur to the cause of education and affect the future of the generation next.

The Court, therefore, is in agreement with the finding of the learned Single Judge that this is an institution without any valid recognition and approval. Whatever be the worth of the piece of paper, which these petitioners may have obtained from the institution, the same can not be utilized for begetting employment as an Assistant Teacher in the State of Bihar.

There is no infirmity with the decision of the learned Single Judge. The Appeal is dismissed.

**(Ajay Kumar Tripathi, J.)**

**(Nilu Agrawal, J.)**

Sudha/ Rajesh

|                   |      |
|-------------------|------|
| AFR/NAFR          | NAFR |
| CAV DATE          |      |
| Uploading Date    |      |
| Transmission Date |      |

