

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1050 of 2014
IN
Civil Writ Jurisdiction Case No. 6501 of 2010**

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Saleha Khatoon W/O Md. Aslam R/O Vill.- Zafar Tola (Ratansarai), P.O. & P.S.
Barauli, District- Gopalganj

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Department of Human Resource (Education), Govt. of Bihar, New Secretariat, Patna
2. The Director, Primary Education, Govt. of Bihar, New Secretariat, Patna
3. The District Magistrate, Gopalganj
4. The District Superintendent of Education, Distt.- Gopalganj
5. The Member Appellate Authority, District Teachers Appointment, Gopalganj, Distt.- Gopalganj
6. The Block Development Officer, Barouli Block, Distt.- Gopalganj
7. The Secretary, Gram Panchayat Raj Saraiya Narendra Block Barouli, Distt.- Gopalganj
8. The Mukhiya, Gram Panchayat Raj Saraiya Narendra Block Barouli, Distt.- Gopalganj

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Namrata Mishra, Advocate
For the Respondent/s : Mr. Prem Ranjan Kumar, AC to A.A.G.-IX
For the Respondent-9: Mr. Aditya Narain Singh, Advocate
Mr. Kundan Kumar Sinha, Advocate

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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: 07-04-2017

Heard learned counsels for the parties.

The appellant was respondent no. 9 in the writ application. Her appointment as a Panchayat Teacher was challenged by private-respondent no. 9, who was also the writ petitioner and the Learned Single Judge after considering the entirety of the dispute came to a considered opinion that the degree,



which the appellant had obtained from Bhartiya Shiksha Parishad, Lucknow, Uttar Pradesh, was an invalid degree of Intermediate and training, because the said institution had no recognition from any statutory authority. This formed the basis for her removal first by the Tribunal and then affirmed by the Learned Single Judge.

It is no longer an arguable case with regard to the status and validity of any degree issued by Bhartiya Shiksha Parishad, Lucknow, Uttar Pradesh, which is not an educational institution, but a degree selling shop. Therefore, the Learned Single Judge has committed no error by allowing the writ application and upholding the decision of the District Teachers Employment Appellate Tribunal, removing the appellant from the post of Panchayat Teacher. No relief can be extended to a person, who wants to be a Teacher, but without any valid education and degree behind the so call knowledge, she claimed, she has.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
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