

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.834 of 2014
IN
Civil Writ Jurisdiction Case No. 23499 of 2012**

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1. Sanjeev Kumar @ Sanjiv Kumar Singh, son of Haridwar Ram, resident of Village- Bhelawar, P.O.- Tej Bigha, P.S.- Kako, District- Jehanabad worked as Assistant Teacher in the Upgraded Middle School Kumardih, Makhdumpur Block, District- Jehanabad (Bihar)

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Department of Education, Government of Bihar, Vikash Bhawan, New Secretariat, Baily Road, Patna
3. The Secretary, Bihar Karamchari Chayan Ayog, Veterinary College Campus, Patna
4. The Director, Research and Training, Director of Education, Government of Bihar, Patna
5. The Director, Primary Education, Govt. of Bihar, Patna
6. The Regional Director, Department of Education, Magadh Division, Gaya
7. The District Education Officer, District- Jehanabad
8. The District Programme Officer, District- Jehanabad
9. The Block Education Officer, Makhdumpur Block, District- Jehanabad
10. The Headmaster Upgraded Middle School, Kumardih, Makhdumpur Block, District- Jehanabad
11. The Regional Director, National Council for Teacher Education, Eastern Regional Committee, Bhubaneshwar
12. The Member Secretary, National Council for Teachers Education, Hans Bhawan, Wing II, Bahadur Shah Zafar Marg, New Delhi
13. The Secretary/Principal, Dr. Ambedkar Hindi Sanskrit Vidyapeeth, Bihar-cum-Education Training, Village- Jokia, District- Begusarai (Bihar)

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr P.K.Shahi, Sr. Advocate
	:	Mr. Ashok Kumar Mishra
		Mr Varun Kumar
For the State	:	Mr Alol Kumar Rahi, AC to GP 21
For the NCTE	:	Mr Kumar Brijnandan
For the Commission	:	Mr Kamla Kant Upadhyay

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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: 27-03-2017



The Letters Patent Appeal has been preferred against the order dated 17.7.2013 passed in CWJC No.23499 of 2012 by the learned Single Judge, who after hearing the parties and examining the evidence has come to a clear and categorical finding that the so-called Dr. Ambedkar Hindi Sanskrit Vidyapeeth, Bihar was not a recognized institution and, therefore, any degree of B.Ed. acquired from the said institution cannot be treated to be a valid degree, which can beget appointment under the State as a teacher.

An effort was made to establish that the institution in question had due recognition by the State of Bihar as it had the necessary power before coming of the National Council of Teacher Education Act but then the learned Single Judge has examined the said document based on which the recognition was being claimed and it was found to be a forged and fabricated document.

A valid recognition to an institution imparting B.Ed. degree is a must. The National Council of Teacher Education has filed a categorical counter affidavit stating that the institution has been given recognition for the first time in the year 2009-10 and in these circumstances a batch of seven writ applications came to be heard and dismissed.

The learned Single Judge has committed no error by dismissing the writ applications and refusing to give any direction



giving recognition to the B.Ed. degree being issued by Dr. Ambedkar
Hindi Sanskrit Vidyapeeth, Begusarai prior to 2009-10.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	28.3.2017
Transmission Date	NA

