

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13483 of 2014

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Kusum Gupta Wife of Triloki Prasad Gupta Resident of Village - Patrauli,
P.O. Belhi Khas, P.S. Kataiya, District - Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education,
Govt. of Bihar, Patna
2. The District Magistrate, Gopalganj
3. The District Education Officer, Gopalganj
4. District Programme Officer (Establishment), Gopalganj
5. The Block Education Officer, Vijaypur, Gopalganj
6. The Principal, Higher Secondary School, Sandiha, Vijaypur, Gopalganj

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Y.V. Giri, Sr. Advocate Mr. Pranav Kumar, Advocate
For the Respondent/s	:	Mr. G.P. Jha, G.A.-7

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-08-2018 Heard Mr. Yaduvansh Giri, learned Sr. counsel

appearing on behalf of the petitioner and learned counsel for the

State.

Mr. Giri has advanced argument that the
appointment of the petitioner was pursuant to the direction of
the Apex Court and the appointment of 34540 Assistant
Teachers pursuant to the order of the Supreme Court is now
immunised from any scrutiny. This submission stands overruled
by the Division Bench of this Court reported in **2018(2) PLJR**
929 and as such this Court does not find substance in the
submission as Division Bench judgment to which I was a



member is binding on Single Judge and any submission contrary to the Division Bench judgment is recorded only for the purpose of rejection. The last argument of Mr. Giri is that the petitioner has obtained certificate and not degree and respondents have proceeded on the basis that petitioner has obtained degree which is not recognized. The expression degree and certificate does not make any difference in the instant case for the reason that there is no material to show that the certificate which was obtained by the petitioner was recognized for the purpose of appointment and as such this Court does not find any merit in the present writ application and the same is dismissed accordingly.

(Anil Kumar Upadhyay, J)

Ravi/-

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