

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16687 of 2012

Bindu Sinha W/O Sanjay Kumar Kushwaha Resident Of Village - Paibigha
P.S. Belaganj District - Gaya

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary Human Resource Development Deptt. Govt. Of Bihar, Patna
2. The District Collector, Gaya
3. The District Education Officer, Gaya
4. Block Education Officer, Block Belaganj, Gaya

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Bindeshwar Prasad Singh
For the Respondent/s	:	Mr. Anil Kumar Singh, GP 26
		Mr. Ranjit Kumar, AC to GP 26

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

4 11-10-2018 This matter was listed on previous occasion but no one appeared and under the compelling circumstances the case has been listed today under the heading for dismissal. But unfortunately even today no one appears to assist the Court. Under the compelling circumstances, this Court has no other option but to decide the writ petition on the basis of pleadings available on record.

The petitioner has filed the present writ petition for quashing of the order dated 02.12.2011 passed by the District Teachers Employment Appellate Authority, Gaya in Case No. 20 of 2011, whereby the Appellate Authority held out that the degree in Physical Education obtained by the petitioner from



Naba Bharat Shiksha Parishad, Rourkella is not a valid degree for appointment.

In the instant case, on behalf of the respondents specific stand was taken in the counter affidavit that the institution from where the degree of Physical Education was obtained by the petitioner was not recognized by the NCTE. Furthermore, the petitioner had obtained qualification of Physical Education Training in the year 2008 whereas NCTE Act had come into force from 01.07.1995. Therefore, the Appellate Authority has taken the decision that the petitioner does not hold a valid degree and has rightly rejected the claim of the petitioner.

Considering the aforesaid, the Court does not find any infirmity in the decision of the Appellate Authority. The writ petition is accordingly dismissed.

(Anil Kumar Upadhyay, J)

mrl./-

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