

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.17277 of 2015**

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1. Anchala Kumari, daughter of Kapildeo Singh,
  2. Mani Rekha, daughter of Nabal Kishore Sharma, Both residents of Village- Sinduari, P.O. Chhota Jamuara, P.S.- Narhat, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Education Dept., Bihar, Patna.
2. The District Magistrate, Nawadah.
3. The Block Development Officer-Cum-Secretary, Prakhand Sikchhak Pannel Nirman Samiti, Meskaur, P.S.- Meskaur, Distt- Nawadah.
4. The Block Education Extension Officer, Meskaur.
5. The Prakhand Pramukh, Meskaur Prakhand, P.S.-Meskaur, Distt- Nawadah.
6. District Teachers Appointment Appellate Tribunal, Nawadah through it's Member.

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Sidhendra Narayan Singh, Advocate  
For the Respondent/s : Mr. Gautam Kumar Yadav, AC to GP 26

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL JUDGMENT**

**Date : 04-12-2018**

Despite service of notice in advance on 08.10.2015 and the writ petition being filed 29.10.2015 no counter affidavit has been filed in the instant writ petition.

Learned counsel for the petitioners, as prayed for, is permitted to implead the District Programme Officer (Estt.), Nawada as party respondent no. 7 during the course of the day.

Learned counsel appearing for the petitioners would submit that District Teachers Employment Appellate Authority, Nawada committed error of record in holding that teachers training



certificate from Khwaja Shahid Hussain Training College, Katihar is not a valid qualification. He submits that the issue has been answered in different writ proceedings and has been affirmed up to the Supreme Court.

Considering the fact that the writ application was filed on 29.10.2015 involving the only issue whether the teachers training certificate of the petitioners obtained from Khwaja Shahid Hussain Training College, Katihar is valid or recognized degree for the purpose of appointment, the respondents have to take appropriate decision. If the certificate of teachers training issued by the aforesaid college is a valid degree, the order passed by the District Teachers Employment Appellate Authority cannot come in the way of the respondents in granting the benefit of training certificate to the petitioners.

Taking into consideration the peculiar facts of this case, the writ petition is disposed of with a direction to the District Programme Officer (Establishment), Nawada to verify the record to ascertain as to whether the teachers training certificate of Khwaja Sahid Hussain Training College, Katihar is recognized or not. In the event he comes to a conclusion that teachers training certificate of the said college is recognized and valid degree he will grant the benefit of such training to the petitioners ignoring



Annexure-11, the order passed by the Appellate Authority in Appeal No. 11/2014 and 12/2014. Necessary decision on the legality and validity of the teachers training certificate as also the consequential benefits to the petitioners, in the nature of appointment on the post for which the petitioners were selected, may be taken by the respondents by a reasoned and speaking order within a period of four months from the date of receipt/production of a copy of this order as the respondents cannot take advantage of their own wrong denying the benefit, i.e. the benefit of selection declaring the valid and recognized degree of petitioners as not valid and not recognized degree.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

mrl./-

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