

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4686 of 2016

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Ritesh Kumar S/O Shri Tej Narayan Prasad Singh, Resident of village P.O.-
Tetarawad Chandpur, P.S.- Khagaria, District- Khagaria

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Bihar, Patna.
2. The Principal Secretary, Department of Education, Bihar, Patna
3. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna
4. The Collector-cum-District Magistrate, Khagaria
5. The District Education Officer, Khagaria
6. The District Programme Officer Establishment Khagaria
7. The Block Development Officer, Khagaria Block, Khagaria
8. The Block Education Officer, Khagaria Block, Khagaria
9. The Panchayat Secretary-cum-Member Secretary of Panchayat Teachers Employment Unit, Gram Panchayat
10. The Panchayat Teachers Employment Unit, Gram Panchayat Raj Uttari Madar, Khagaria Block, Khagaria t
11. Sri Ram Bahadur Prasad, S/O Late Kamleshwari Prasad Thakur, Resident of village- Rasounk, P.O.- Rasounk, P.S.- Morkahi, District- Khagaria

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Prasad, Advocate
		Mr. Kumar Rajeev, Advocate
For the Respondent/s	:	Mr. Manoj Kumar, AC to GP-4

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 16-10-2019 In view of the specific stand of the respondent no.2

the Additional Chief Secretary-cum-Principal Secretary that the

institution in question is not recognized institution, no

indulgence is called for. For ready reference para 6 to 10 of the

counter affidavit filed on behalf of Additional Chief Secretary-

cum-Principal Secretary is quoted below:



“6. That it was accordingly that the deponent had called the files relating to previous orders, issued in connection with the validity of the institution in question i.e. Navbharat Shiksha Parishad Orissa and upon careful examination and consideration of the same the following position has transpired.

(i) Letter no. 960 dated 22.07.2014 had been issued by the then Director, Primary Education holding the Intermediate certificate issued by Navbharat Shiksha Parishad Orissa not valid for the purpose of appointment (photocopy enclosed).

(ii) The name of the institution in question i.e. Navbharat Shiksha Parishad Orissa also stood included in the list of self styled, unrecognized institutions issued by the University Grant Commission vide letter no. F7-3/2012 (AMPC) dated 30.06.2016 declaring the institution in question to be fake university and not entitled to confer any degree (photocopy enclosed).

7. That it is submitted that even apart from the order issued vide memo no. 146 dated 03.02.2016, as indicated by this Hon'ble Court in its order dated 03.05.2019, the deponent had issued order vide Sanchika no. 7/Mul-08/2017-474 dated 27.03.2018, holding Navbharat Shiksha Parishad Orissa to be a fake institution and Intermediate certificate issued by the



institution in question not to be valid for the purpose of appointment.

The said order dated 27.03.2019 came to be passed on remind to the department in CWJC No. 5121/2016 (Menaka Mishra Vrs. State of Bihar and others) by this Hon'ble Court.

8. That through the aforesaid order dated 27.03.2018, it stands decided that Navbharat Shiksha Parishad Orissa is a fake institution and appointment on the basis of Intermediate certificate issued by the institution in question would be illegal.

9. That it is submitted that till date the said order dated 27.03.2018 is in vogue and is in force.

10. That thus it is the consistent stand of the Education department that certificate of Intermediate, so issued by Navbharat Shiksha Parishad Orissa, is unrecognized by the department for the purpose of making appointment on the post of teacher.”

In view of the above, the Court does not find any merit in the writ application and the same stands dismissed.

(Anil Kumar Upadhyay, J)

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