

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10457 of 2021

1. The State of Bihar Bihar.
2. The District Programme Officer (Establishment), Banka, Office of the District Education Officer, Banka.

... .. Petitioner/s

Versus

1. Sakaldev Prasad Singh S/o Sri Madan Mohan Singh Resident of Village- Muradpur, P.O.- Bamdeo Bazaar, P.S.- Rajaun, District- Banka.
2. The Panchayat Niyojan Ekai through its Secretary, Gram Panchayat Raj Majhgaon Darpa, Block- Rajaun, District- Banka.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mrs. Abhanjali (Ac To Ga12)
For the Respondent/s : Mr.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 24-09-2024

The present writ application has been filed on behalf of the petitioner challenging the order dated 5.04.2019 passed in Appeal No.529/2018 by the learned Chairperson (A), State Appellate Authority, Education Department, Patna, whereby, the appeal preferred by the petitioner challenging the order dated 08.06.2018 passed by Presiding Officer, District Education Appellate Authority, Banka in Suit No.05 of 2018 was dismissed without considering and appreciating the issue raised therein. Petitioner also prayed for quashing the order dated 08.06.2018 passed by Presiding Officer, District Education Appellate Authority, Banka in Suit No.05 of 2018.



2. Learned counsel for the petitioner submits that respondent no.1 was appointed in the year 2006 as a Panchayat Teacher on the basis of certificate issued by the Central Board of Higher Education (CBHE), New Delhi.

3. She further submits that the certificate of the respondent no.1 was not recognized by the CBHE, New Delhi, therefore, the respondent no.1 and others who were appointed on the basis of said certificates were removed from their post.

4. The respondent no.1 assailed the order of cancellation of her appointment by filing Suit No.05 of 2018 before the District Appellate Authority, Banka, Bihar and the same was allowed while quashing the order of cancellation of appointment of the respondent no.1.

5. Thereafter, the petitioner challenged the order of the District Appellate Authority, Banka, Bihar before the State Appellate Authority, Patna by filing Appeal No.529 of 2018. The State Appellate Authority held that the respondent no.1 passed High School Examination from CBHE, New Delhi in the year 1993 and Intermediate Examination in the year 1995 and as such, the same were recognized as valid and further, there was no such letter declaring CBHE as invalid prior to 2012 and the respondent no.1 was appointed in the year 2006, therefore, her



appointment cannot be said to be illegal and thereby dismissed the appeal of the petitioner.

6. Considering the facts and circumstances of the case, I find no illegality or infirmity in the order passed by the District Appellate Authority, Banka, Bihar as well as the State Appellate Authority, Patna.

7. In the result, this writ application stands dismissed.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.09.2024
Transmission Date	NA

