

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1690 of 2019

In
Civil Writ Jurisdiction Case No.21331 of 2013

-
-
1. Nishi Kant Yadav son of Manik Lal Yadav, resident of village- Dulalganj, Police Station- Amour, District- Purnia, presently posted as Assistant Teacher, Project Girls High School, Bishwadighi, P.O. Mahisal, P.S. balrampur, District- Katihar.
 2. Gajendra Nath Das, son of Late Madhusudan Lal Das, resident of village- Rangpur, P.O. Sudhani, P.S. Balrampur, District- Katihar. presently posted as Assistant Teahcer, Project Girl's High School, Bishwadighi, P.O. Mahisal, P.S. Balrampur, District- Katihar.
 3. Md. Faiyaz Alam, son of Late Latifur Rahman, resident of village- Birnagar, P.O. Karandighi, P.S. Balrampur, District- Katihar. presently posted as Assistant Teahcer, Project Girl's High School, Bishwadighi, P.O. Mahisal, P.S. Balrampur, District- Katihar.
 4. Bishwa Nath Yadav, son of Late Amik Lal Yadav, resident of village- Dilalganj, P.S. Amour, District - Purnea, presently posted as Assistant Teacher, Project Girl's High School, Bishwadighi, P.O. Mahisal, P.S. Balrampur, District- Katihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, New Secretariat, Patna.
2. The Director, Secondary Education, Budh Marg, Patna- 800001.
3. The Regional Deputy Director of Education, Purnea.
4. The District Education Officer, Katihar.
5. The Principal, I/C Project Girl's High School, Bishwadighi, P.O. Mahisal, P.s. Balrampur, District- Katihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Ajit Kumar Ojha, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey (Aag15)

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
and
HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

(Per: HONOURABLE MR. JUSTICE P. B. BAJANTHRI)

6 14-11-2024 The appellant has assailed the order of the learned

Single Judge dated 31.07.2019 passed in CWJC No. 8693 of



2014. Petitioner's candidature for recruitment to the post of assistant teacher was turned down by the official respondent. Resultantly, petitioner is before this Court. The learned Single Judge proceeded to pass the following order:-

"The issue as to the validity of the degree of Teachers Training is no more res integra.

The LPA Court in LPA No. 1658 of 2014 has already decided this issue vide judgment dated 17.05.2017.

In view of the above, the Court does not find any merit in the instant writ application.

Accordingly, the present writ application is dismissed."

2. Earlier, Co-ordinate Bench in LPA No. 1658 of 2014 arising out of CWJC No. 19276 of 2012 in the case of Bande Lal Mehta and Ors. considered the order of the learned Single Judge and dismiss the appeal filed by the Bande Lal Mehta and Ors.

3. Core issue involved in the present list is whether degree certificate possessed by the Appellants namely Rashtriya Patrachar Sansthan, Kanpur, Uttar Pradesh is recognised institution and degree certificate is authenticated or not? In this regard, State of Bihar inquired into the matter and proceeded to pass order vide Memo No. 7/वि०-18/12437 dated 26.06.2017 in



which it is held as under:-

“h) विशेष सचिव, उत्तर प्रदेश शासन ने अपने पत्रांक 1043/सत्तर-3-2012 दिनांक 24.05.2012 संसूचित किया है कि राष्ट्रीय पत्राचार संस्थान, कानपुर, कानपुर विश्वविद्यालय, कानपुर से कोई संस्थान नहीं है।”

4. The aforementioned finding of the State Government read with the Co-ordinate Bench decision in the case of Bande Lal Mehta and Ors. suffice to not to interfere with the order of the learned Single Judge.

5. Accordingly, the present LPA No. 1690 of 2019 stands dismissed reserving liberty to the appellants to assail the decision of the State Government dated 26.06.2017, in accordance with law.

6. Pending I.A.(s) if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

Ankit Kumar/-

U			
---	--	--	--

