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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SHRI JUSTICE ANAND PATHAK**

ON THE 8th OF JANUARY, 2024

WRIT PETITION No. 4187 of 2006

BETWEEN:-

1. **AVDHESH VERMA S/O S/O SHRI SEWA RAM VERMA, AGED ABOUT 25 YEARS, OCCUPATION: R/O TAKPURA POST ADOKHAR, THE. MEHGAON DISTT. BHIND (MADHYA PRADESH)**
2. **BHAV SINGH S/O S/O SHRI RATAN SINGH, AGED ABOUT 26 YEARS, OCCUPATION: NIL, R/O WARD NO.10 MAU DISTT. BHIND (MADHYA PRADESH)**
3. **GIRRAJ KUMAR SHRIVASTAVA S/O S/O SHRI KAILASH NARAYAN SHRIVASTAVA, AGED ABOUT 25 YEARS, OCCUPATION: NIL, R/O WARD NO.10, MAU, DISTT. BHIND (MADHYA PRADESH)**
4. **DINESH KUMAR RAJPUT S/O S/O SHRI SHRI VIRENDRA SINGH RAJPUT, AGED ABOUT 29 YEARS, OCCUPATION: NIL, R/O WARD NO.11 MAU, DISTT. BHIND (MADHYA PRADESH)**
5. **MUKESH S/O SHRI VIDHYA RAM, AGED ABOUT 26 YEARS, OCCUPATION: NIL, R/O KISHAPURA, POST AJNODHA TEH MEHGAON DISTT. BHIND (MADHYA PRADESH)**

.....PETITIONERS

(NONE PRESENT)

AND

1. **JANPAD PANCHAYAT LAHAR, DISTT. BHIND THROUGH THE CHIEF EXECUTIVE OFFICER (MADHYA PRADESH)**
2. **JANPAD PANCHAYAT LAHAR, DISTT. BHIND TH. THE CHIEF EXECUTIVE OFFICER (MADHYA PRADESH)**
3. **JANPAD PANCHAYAT GOHAD TH. THE CHIEF**

EXECUTIVE OFFICER² GOHAD OCCUPATION:
(MADHYA PRADESH)

4. JANPAD PANCHAYAT ATER DISTT.BHINDTH.THE
CHIEF EXECUTIVE OFFICER OCCUPATION:
(MADHYA PRADESH)
5. JANPAD PANCHAYAT SEONDA DISTT.DATIA
TH.ITS CHIEF EXECUTIVE OFFICER OCCUPATION:
(MADHYA PRADESH)
6. BHARTIYA SHIKSHA PARISHAD UTTARPRADESH
BHARAT BHAWAN MATIYARI CHINHET
OCCUPATION: FAIJABAD ROAD LUCKNOW
(MADHYA PRADESH)
7. GURUKUL VIDHYA STUDY CENTERAMAYAN
DISTT.BHIND TH.THE CENTRE OCCUPATION:
INCHARGE (MADHYA PRADESH)
8. GHANSHYAM SINGH YADAV S/O S/O RAM
BHAROSE SINGH YADAV OCCUPATION:
TEACHER,R/O SALAMPURA POST DEHGAON
TEH.GOHAD,DISTT.BHIND (MADHYA PRADESH)

.....RESPONDENTS

(BY SHRI SHASHANK INDAPURKAR - ADVOCATE FOR RESPONDENT
NO.1)

(BY SHRI K.K. SHARMA - ADVOCATE FOR RESPONDENT NO.8)

*This petition coming on for hearing this day, the court passed the
following:*

ORDER

1. The present petition under Article 226 of the Constitution has been
preferred by the petitioner seeking following reliefs:-

*"1. A direction may be given to the respondent nos. for
recognizing the certificates of B.Ed and D.Ed issued by
Bhartiya Shiksha Parishad U.P. and the marks, which
are allotted to the candidates having passed B.Ed an
D.Ed course may be awarded to the petitioners also;*

*2. A direction may be given to the respondents to re-
evaluated the merit of the petitioners giving them the
benefit of 20 marks and thereafter to modify the result;*

3. A direction may be given to the respondents to appoint the petitioners in case they are found eligible after giving the benefit of 20 marks;

4. Any other relief which this Hon'ble Court deem fit in the facts and circumstances of the case may kindly be granted to the petitioners."

2. It appears from the pleadings and reliefs that petitioners are students who have acquired qualification of B.Ed./D.Ed. from Bhartiya Shiksha Parishad Uttar Pradesh Bharat Bhawan, Lucknow. Respondents have not accepted the said qualification for appointment to the post of Samvida Shala Shikshak Grade-2 and Grade-3, therefore, this petition has been preferred.

3. Learned counsel for the respondents referred the return filed and stressed over the documents by way of instructions issued on 22.09.2001 (Annexure R/1) to demonstrate that Bhartiya Shiksha Parishad Uttar Pradesh Bharat Bhawan, Lucknow has not been recognized by National Council for Teachers Education (NCTE) for imparting education in B.Ed/D.Ed courses. Therefore, no appointment can be given to candidates to acquire qualification of B.Ed/D.Ed degree from Bhartiya Shiksha Parishad Uttar Pradesh Bharat Bhawan, Lucknow. Even direction was given for cancellation of appointments if some candidates got appointment on the basis of such degree.

4. Therefore, according to the learned counsel for the respondents, petitioners cannot be given any benefit as they did not acquire the qualification from recognized institute. Even otherwise, much water has flown since 2006 and no cause of action exists after 17-18 years.

5. Considering the submissions and going through the return as well as documents appended thereto, it appears that no cause of action exists for petitioners to agitate. Bhartiya Shiksha Parishad Uttar Pradesh Bharat Bhawan,

Lucknow has not been recognized by the State Government in respect of circular dated 22.09.2001.

6. Accordingly, the present petition *sans* merits and is hereby **dismissed**.

(ANAND PATHAK)
JUDGE

Rashid

