

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.605 of 2022

In

Civil Writ Jurisdiction Case No.11741 of 2017

=====

Sudama Kumar Pandey son of Arvind Pandey, Resident of Village- Bairwan
Lok Nath, P.O. Bairiya, Police Station- Mali, District- Aurangabad.

... ... Appellant/s

Versus

1. The State of Bihar through Principal Secretary Education Department, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education Govt. of Bihar, Patna.
4. The Director, Research and Training Physical Education, Govt. of Bihar, Patna.
5. Rakesh Kumar son of Mahesh Ray Resident of Village- Rariyahi, P.O.- Kumiya, P.S.- Tajpur, Distt- Samastipur.
6. Pawan Kumar son of Vishundeo Prasad, Resident of Village- Mahmuddabad, P.O. Sakshora, P.S.- Bind, District- Nalanda.
7. Raman Kumar Jha son of Subodh Jha, Resident of Village- and P.O. Lagma, Police Station- Soniyarsa, District- Saharsa.
8. Rakesh Kumar Gaur Gautam son of Lal Bihari Yada, Resident of Village- Ganjpar, P.O. and P.S. Rajgir, District- Nalanda.
9. Babloo Prasad son of Ramesh Prasad, Resident of Village- Banswar, P.O. Raghunathpur, P.S.- Brahmpur, District- Buxar.
10. Pawan Kumar Singh son of Shiv Nandan Prasad Singh, Resident of Village- Kalindi Nagar, P.O. Bhimdas Tola, P.O. Gopalpur, District- Bhagalpur.
11. Jay Prakash Pandit son of Ram Balak Pandit, Resident of Village and P.O. Bari Baliya, P.S. Baliya, District- Begusarai.
12. Niwas Kumar Verma son of Sidheshwar Prasad, Resident of Village- Gosai Bigha, P.O. Bhanail, Police Station - Akbarpur, District- Nawada.
13. Nitu Kumari son of Ganesh Prasad Gupta, Resident of village- Saidpur, P.O. and P.S. Gopalpur, District- Bhagalpur.
14. Gyanda Kumari daughter of Ram Prakash, Resident of Village and P.O. Jharkaha, Police Station- Shankarpur, District- Madhepura.
15. Saroj Kumar Pal son of Mahendra Pal, Resident of Village and P.O. Bhanpur, P.S. Dinara, District- Rohtas.
16. Manoj Kumar Gupta son of Shiv Parshan Sah, Resident of Village and P.O. Bhanpur, P.S. Dinara, District- Rohtas.
17. Sanjay Kumar son of Radha Kishun Singh, Resident of Village- Bhatpurva, P.O. Bhanpur, P.S.- Dinara, District- Rohtas.
18. Ajay Kumar son of Lalji Singh, Resident of Village- Belma, P.O. Dharamshala, P.S.- Tekari, District- Gaya.



19. Anuj Kumar son of Karu Prasad Singh, Resident of Village- Karni, P.O. and P.S. Rafiganj, District- Aurangabad.
20. Jetendra Kumar son of Banar Saw, Resident of Village- Maniachatra P.O. Teje, P.S. Chandraiv, District- Jamui.
21. Md. Rizwan son of Md. Sarfuddin, Resident of Village- Bandi, P.O. Maniyara, P.S.- Nimchak Bathani, District- Gaya.
22. Vidya Sagar son of Ramji Yadav, Resident of Village- Karma Masud, P.O. and P.S. Rafiganj, District- Aurangabad.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr.Jitendra Prasad Singh, Advocate
Ms. Supriya Sinha, Advocate
Mr. Rajeev Kumar, Advocate
For the Respondent/s : Mr. Ram Vinay Prasad Singh, AC to GA-12

CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI

and

HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL JUDGMENT

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

Date : 06-05-2025

The appellant has assailed the order of the learned Single Judge dated 17.08.2022 passed in CWJC No. 11741 of 2017.

2. The core issue involved in the present *lis* is whether appellant is entitled to be appointed as a Physical Education Teacher with the only B.P.Ed qualification or not.

3. In terms of the NCTE policy decision for the purpose of appointment of teacher, one must have trained qualification, such qualification is required to be acquired after acquisition of B.P.Ed degree. Indisputably, as appellant do not possess trained qualification, therefore, no



interference is called for insofar as order of the learned Single Judge dated 17.08.2022 passed in CWJC No. 11741of 2017.

4. Accordingly, LPA No. 605 of 2022 stands dismissed.

5. Pending I.A., if any, stands disposed of.

(P. B. Bajanthri, J)

(S. B. Pd. Singh, J)

ranjan/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.05.2025
Transmission Date	NA

