
(2010) 09 AHC CK 0488

In the Allahabad High Court

Case No : Civil Miscellaneous Writ Petition No. 59175 of 2010

Neelam Sharma

APPELLANT

Vs

State of Uttar Pradesh and Others

RESPONDENT

Date of Decision : 27-09-2010

Acts Referred:

Citation : (2010) 09 AHC CK 0488

Hon'ble Judges : V.K. Shukla, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

V.K. Shukla, J.—Petitioner has approached this Court requesting therein that her claim be considered in B.T.C. Course, 2007, as she has done her B. Ed from Maharshi Dayanand University Rohtak . Earlier petitioner had filed Civil Misc. Writ Petition No. 39563 of 2007 and said writ petition was dismissed by this Court vide order dated 30.8.2007. Fact of the matter is that as far as petitioner is concern she has not preferred any special Appeal against the said order and acquiesced to the said order.

2. In respect of candidates who have acquired certificate/degree from outside the State from an institution recognized by National Council for Teacher Education, Full Bench of this Court in the case of Jitendra Kumar Soni and Ors. v. State of U.P. and Ors. Civil Misc. Writ Petition No. 3733 of 2009 decided on 13.08.2010 has already taken the view that only in respect of candidates whose writ petition is pending on the date of delivery of the Judgment will be extended benefit and whose candidature was non-suited on the ground that their certificates were not from the institution in U.P. Relevant extract of the said Full Bench Judgment is being quoted below

31. The Government has issued orders closing these courses except for those, whose applications were rejected on the ground that they did not possess the L.T./ B.P. Ed./ D.P. Ed./ C.P. Ed. from institutions in U.P. and the matters are

pending before this Court. With respect to the Special B.T.C. Courses for the years 2004, 2007 or 2008, if the petitioners, whose petitions are pending, are eligible, they shall be considered for training for the Special B.T.C. Courses, which shall be commenced within a reasonable period

3. Once matter has been decided by Full Bench of this Court and at the said point of time writ petition on behalf of the petitioner has not at all been pending, in such a situation and in this background no contrary directives as has been prayed for can be issued, as issuing of any directive would amount to enlarging the zone of consideration, already determined and fixed by Full Bench of this Court, judicial discipline prohibits passing orders contrary to directives of Full Bench.

4. Consequently, writ petition as it has been framed and drawn is dismissed.