

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.3282 of 2015

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Birendra Kumar son of Late Ramchhatri Mahto, resident of Village and Post - Champapur Koria, P.S. - Ghorasahan, District - East Champaran, at present retired Headmaster (Incharge), Upgraded Middle School, Gidhauna Anchal, Ghorasahan, East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The Director, Primary and Secondary Education, Education Department, Government of Bihar, Patna.
3. The District Education Officer, East Champaran, Motihari.
4. The District Programme Officer (Establishment), Education Department, East Champaran, Motihari.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Prem Prakash Arya

For the Respondent/s : Mr. AAG3-ROY SHIVAJEE NATH

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

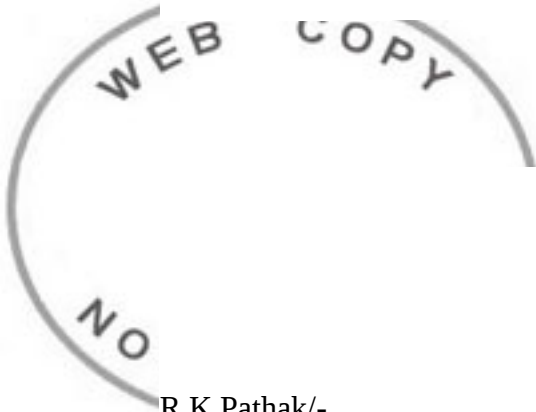
Date: 26-06-2015

The position of the petitioner emerging from the record has been clearly and succinctly placed in the communication of the District Education Officer, East Champaran, Motihari, addressed to the District Magistrate, East Champaran. This is letter dated 27.1.2014, contained in Annexure-B to the counter affidavit. If what has been stated by the District Education Officer with regard to appointment, qualification and acquisition thereof from time to time by the petitioner is in any manner erroneous, the petitioner has freedom to demonstrate the same before the District Education Officer. He still has opportunity to also furnish the evidence that he is a graduate and has acquired the degree in this regard, which is valid, recognized and within the terms of the rules.

Nothing is required to be adjudicated in view of the factual position

emerging there from.

Writ application is disposed of with liberty to the petitioner as above.



(Ajay Kumar Tripathi, J)

R.K.Pathak/-

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