

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16351 of 2013

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1. Pradeep Prasad S/O Late Sitaram Prasad Resident Of Village- Nanauk,
P.O- Bijubigha, Block- Manpur, Distt- Gaya.

.... Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Human Resources Development Department, Govt. Of Bihar.
2. The Director, Primary Education, Govt. Of Bihar, Patna.
3. The District Programme Officer (Establishment), Gaya.
4. The Block Education Extension Officer, Block- Manpur, Gaya.
5. The Mukhiya, Gram Panchayat Nanuk Manpur, Gaya.
6. The Panchayat Secretary, Gram Panchayat Nanuk, Manpur, Distt- Gaya.
7. Santosh Kumar Sharma S/O Paras Singh Resident Of Village- Nanauk, P.S- Buniyadganj, Distt- Gaya.
8. The Secretary, Bihar School Examination Board, Patna (Bihar)

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajendra Pd. Singh, Sr. Advocate
		Mr. Jitendra Kumar
For the Respondent/s	:	Mr. Neeraj Kumar
For the Board:		Mr. Manish Kumar

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
ORAL ORDER

07. 09.01.2015

There are many a controversial facts and evidence on record, which cannot be simply ignored or accepted on either side of the litigant.

The basic allegation is that the present petitioner, Pradeep Prasad, who has gained employment as Panchayat Teacher, has passed his matriculation twice over with some change in his name, parentage

and date of birth and the one which has suited him was utilized for begetting employment. When a complaint was received in this regard, enquiry has been held by the Block Development Officer and findings emerged against him, which led to his removal. It is in this background that the writ application has been filed challenging that decision.

On 26.08.2013, a Bench of this Court while hearing the matter earlier gave a direction upon the Block Development Officer as well as the Panchayat Secretary to file detailed evidence and materials. Those materials have now come. A look at those materials does not help the petitioner, infact they muddy the water further.

In the above controversial circumstances, the Court comes to a considered opinion that it will be advisable for the petitioner to file a suit and get a declaration in his favour and establish his identity, before he can look forward to any kind of relief. In this regard, evidence will be required to be led and the petitioner will be well advised not only to implead the official respondents as defendants in the suit, but even the father of Pradeep Kumar, who is said to be another person, as is the stand taken by the petitioner in the

present writ application.

Writ application is dismissed with liberty to the petitioner to file a suit as directed above.

(Ajay Kumar Tripathi, J.)

