

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4071 of 2015

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Sunil Kumar S/o Shri Prabhunath Rai R/o Village Chainpur P.S. Hathua
District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar through the Secretary Education Department,
Government of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Gopalganj.
4. The District Programme Officer (Establishment) Gopalganj.
5. The Block Education Officer, Hathua, District - Gopalganj.
6. The Headmaster, Government Middle School Chainpur, Block - Hathua,
District - Gopalganj.
7. The Headmaster, Government Primary School Chainpur, (South), Block -
Hathua, District - Gopalganj.
8. The Union of India, Through the Joint Secretary Ministry of Human
Resources Department (Department of Education), Government of India.
9. The Principal, Jawahar Navodaya Vidyalaya, Balesra, Via - Mirganj,
District - Gopalganj.
10. The S.P. Gopalganj.

.... Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Pandey, Adv.
For the State	:	Mr. Rakesh Kumar Sharma, AC to GP 27
For Union of India	:	Mr. Punam Kumari Singh, CGC.
For NVS	:	Mr. J.P. Karna, Sr. Adv. Mr. Sidharth Prasad, Adv.

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**CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR
TRIPATHI**
ORAL ORDER

4 21-05-2015 Heard counsel for the petitioner and counsel for the
respondents.

Many things were initially alleged against the Principal
of Jawahar Navodaya Vidyalaya, Balesra in the district of
Gopalganj with regard to non-grant of admission to the daughter
of the present petitioner.

Looking at the time frame when the mentioning was
made before the Court for an interim protection the Court directed
admission of one Suhani Kumari as an interim measure in Class

VI. Thereafter counter affidavit has been filed on behalf of many respondents and the true picture reveals something else.

In the very first place the daughter of the petitioner was not eligible to be admitted despite passing of the so called admission test conducted by the organization. The manner in which the transfer certificate from the previous school has been obtained by the father of the petitioner and his family, has now culminated into institution of an FIR as well as investigation where *prima facie* allegations seems to have been established.

Earlier the Court had directed the Superintendent of Police, Gopalganj to file an affidavit with regard to authenticity of the affidavit filed on behalf of the Headmaster of the school where the petitioner's daughter had supposedly studied.

The manner in which the admission has been obtained by misrepresentation of facts if not suppression the Court is now inclined to dismiss the writ application. Hence the admission which was initially granted provisionally, is hereby directed to be annulled since the transfer certificate of attending the last school is not valid and bonafide.

Writ is dismissed.

(Ajay Kumar Tripathi, J)

Prakash/-

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