

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1362 of 2012

In

Civil Writ Jurisdiction Case No. 10892 of 2011

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Mithilesh Kumar Sinha, S/o Shivnandan Prasad Sinha, at present Working
as Peon, Project Girls High School, Bastaul, Katihar. Appellant.

Versus

1. The State of Bihar.
 2. The Director, Secondary Education Government of Bihar, New
Secretariat, Patna.
 3. The District Education Officer, Katihar, District Katihar.
 4. The Head Mistress, Girls High School, Bastaul, Katihar, District
Katihar. Respondents.
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Appearance :

For the Appellant : Mr. Prashant Vibhaw, Adv.
Mr. Shyama Kant Singh, Adv.

For the Respondents : Mr. Girijesh Kumar Adv.

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH

And

HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH)

03 27-03-2015 I.A. No.5776 of 2012 has been filed for condoning
the delay in filing the appeal.

Heard.

I.A. No.5776 of 2012 is allowed and delay in filing
the appeal is condoned.

Heard learned counsel for the appellant who was the
writ petitioner. Having perused the judgment of the learned Single
Judge, we are not inclined to interfere with the judgment in view
of the facts as noted by the learned Single Judge.

The writ petitioner was appointed in a school by the
Headmistress upon the recommendation made by the A.D.M. The

appointment as such suffered rank illegality. In such a situation, no prayer for regularization can even be considered. The order to terminate his services cannot be interfered with.

Accordingly, this appeal is dismissed.

(Navaniti Prasad Singh, J.)

(Jitendra Mohan Sharma, J.)

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