

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.540 of 2015

In
Civil Writ Jurisdiction Case No. 12937 of 2011

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Sanjeet Kumar, son of Sudhanshu Prasad Yadav, Resident of village + Post
-Ajhour, P.S.- Neema Chandpur, District- Begusarai.

.... Petitioner/Appellant.

Versus

1. The State of Bihar
2. Panchayat Secretary namely Ram Shakal Singh (he was Panchayat Secretary in the year 2008) resident of village- Harakh, Post- Surhird Nagar, P.S.- Muffasil Ward No. 49 , District- Begusarai.
3. Present Panchayat Secretary, Ram Pravesh Choudhary, resident of village- Pachamba P.O- Suhird Nagar P.S.- Muffasil, District- Begusarai
4. Priyadarshi, Son of Jagdish Prasad, Resident of village -Sapha, P.O+P.S.- Mahesh Khunt, District- Khagaria.
5. Narendra Kumar Singh (Shikshak), Rajkiya Krit High School (Ucha Vidyalay) Bagwara (Pachamba) Begusarai, P.O- Suhird Nagar P.S.- Muffasil District- Begusarai.
6. Subodh Kumar Mahto (Panchayat Samittee Member) village- (Panchayat) Pachamba, P.S.- Muffasil Suhird Nagar, District- Begusarai.
7. Block Development Officer (Namely Subodh Ram), Begusarai Block Office, P.S. Muffassil, Suhird Nagar, Distt. Begusarai.

.... (Opposite parties) Respondents

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Appearance :

For the Appellant/s : Mr. Arbind Kumar Sharma, Advocate

For the Respondent/s : Mr.

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CORAM: HONOURABLE THE ACTING CHIEF JUSTICE

and

**HONOURABLE MR. JUSTICE SAMARENDRA PRATAP
SINGH**

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH)

2 03-02-2016

Heard Mr. Arbind Kumar Sharma, learned counsel

appearing for the appellant.

The instant letters patent appeal is directed against the order, dated 27.06.2013, passed in C.W.J.C. No. 12937 of 2011, whereby the prayer of the appellant-petitioner to appoint him as a Panchayat Teacher in place of respondent no. 4 has been

rejected.

The appellant-writ petitioner had initially challenged the appointment of respondent no.4 before the District Teacher Employment Appellate Authority, Begusarai, which was rejected, on 30.05.2011, on the ground that the latter had secured 81 per cent marks, whereas the complainant (appellant) had secured only 80.55 per cent marks.

Being aggrieved, the appellant filed the writ application claiming that the certificate of respondent No. 4 is not genuine; rather it is forged. The learned single Judge dismissed the writ application with an observation that in case the certificates of respondent no.4 are found to be not genuine at any stage, appropriate action could be taken.

We do not find any infirmity in the order of the learned Single Judge. This appeal is, therefore, disposed of with the observation that if the appellant makes a complaint to the District Programme Officer (Establishment), Begusarai, as regards genuineness of the certificate, in question, of the respondent No.4, District Programme Officer (Establishment), Begusarai, shall examine the genuineness thereof and do the needful in accordance with law, within a period of six months from the date of receipt of the complaint/application of the writ petitioner-appellant, who may enclose with his

complaint/application a certified copy of this order.

(I.A. Ansari, ACJ.)

(Samarendra Pratap Singh, J.)

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