

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15768 of 2013

Sanjay Kumar Pandit Son of Shri Pancha Nand Pandit resident of village - Laloo Chak Angari, P.O. Ishak Chak, P.S. Lodipur, District – Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Old Secretariat, Patna
2. The Commissioner - cum - Secretary, Personnel and Administrative Reforms Department, Government of Bihar, Old Secretariat, Patna
3. The Divisional Commissioner, Bhagalpur
4. The District Magistrate, Banka
5. The Deputy Development Commissioner, Banka
6. The Incharge Deputy Collector, Legal Section, Banka Collectorate, Banka
7. The District Animal Husbandary Officer, Banka
8. The Principal Chief Conservator of Forest, Govt. of Bihar, Patna
9. The Regional Conservator of Forest, Forest Department Government of Bihar, Patna
10. The Divisional Forest Officer, Banka Division, Banka

.... Respondent/s

Appearance :

For the Petitioner/s : Mr. Pratap Sharma

For the Respondent/s : Mr. K.P. GUPTA

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 21-07-2016

Heard learned counsel for the petitioner and learned counsel for the State.

In this case, the petitioner is seeking the regular appointment on class-IV post in pursuance of State Government Policy decision whereby and whereunder decision was taken by the State Government to fill up the vacant post from the district panel.

The petitioner in pursuance of Advertisement no. 01 dated 19.08.2004, applied for class-IV post, his name is standing at serial no. 4729, attaching his educational qualification claiming that

he was 8th pass, hoped to be appointed as class-IV post. When he could not hear about his appointment, he approached this Court in C.W.J.C. No. 8054 of 2007. The matter was remanded back. The case of the petitioner is that he is 8th pass candidate and has wrongly been refused to be appointment as class-IV post. In support of his application, he has attached the certificate issued in the year 2003 showing his educational qualification as class 8th pass.

A counter affidavit has been filed. From the pleading and record attached to the counter affidavit itself show that the petitioner had earlier filed a certificate of the year 1979 in which he has declared his qualification 7th pass and it does not look sound that he has taken 23 years to clear the 8th examination. It apparently shows that either the School Leaving Certificate of 1979 was forged and fabricated or the School Leaving Certificate of the year 2003.

The petitioner has not come with a clean hand, in such circumstances, this Court refuses to exercise discretion in favour of the petitioner. Accordingly, this petition is dismissed.

(Shivaji Pandey, J)

Mahesh/-

AFR/NAFR	NAFR
CAV DATE	
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