

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.103 of 2014
Arising out of
Civil Writ Jurisdiction Case No. 13221 of 2011

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1. Reena Kumari @ Rina Kumari W/O Narendra Singh Resident Of Village- Semaraon, P.S.- Charpokhari, District- Bhojpur, Ara
2. Lav Kush Sah Son Of Ramjee Sah Resident Of Village- Betadi, P.S.- Charpokhari, District- Bhojpur, Ara

.... Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Panchayat Raj, Government Of Bihar, Patna
3. The District Magistrate, Bhojpur, Ara
4. The Director, Panchayat Raj, Govt. Of Bihar
5. The District Panchayat Raj Officer, Bhojpur, Ara
6. The Block Development Officer, Charpokhari Block Bhojpur, Ara
7. The Nodel Officer, Charpokhari Block, Bhojpur, Ara
8. The Sarpanch, Semaraon Panchayat, P.S.- Charpokhari, Block- Charpokhari, Bhojpur
9. The Sarpanch, Mathiaon Panchayat, Charpokhari Block, P.S.- Charpokhari, Bhojpur
10. Uma Kumari W/O Arvind Kumar Verma Resident Of Village- Semaraon, P.S.- Charpokhari, Distt.- Bhojpur,
11. Madan Murari Pathak Son Of Jai Ram Pathak Resident Of Village- Pandey Dihari, P.S.- Charpokhari, District- Bhojpur

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Dhirendra Singh
Mr. Maya Shankar Mishra
For the State : Mr. Ranjan Kumar, AC to AAG IV

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CORAM: HONOURABLE MR. JUSTICE HEMANT GUPTA

and

HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE HEMANT GUPTA)

Date: 07-04-2016

The order dated 13.10.2011 is under challenge in the present Letters Patent Appeal, wherein the writ application filed by the appellant was dismissed whereby the appellants claimed to have

been validly appointed as Nyay Sachiv.

The appellants were appointed in the year 2007 when the education qualification required for the posts was Matriculation. The appellants are having qualification of Madhyama Examination which was not recognized as akin to Matriculation. It was on the basis of an order passed by a learned Single Judge on 16th March, 2010, the State Government considered the equivalence of the Matriculation Examination with Madhyama. The State Government decided vide Order No. 96, dated 5th July, 2010 treating Madhyama as equivalent to Matriculation.

The learned Single Judge found that subsequent change will not help the appellants as they were appointed when Madhyama was not considered equivalent to Matriculation Examination.

We do not find any error in the finding recorded by the learned Single Judge which may warrant any interference in the present appeal.

The appeal is accordingly dismissed.

(Hemant Gupta, J)

(Ahsanuddin Amanullah, J)

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