

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.15374 of 2013

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Manjit Kumar Son Of Late Kabir Das Resident Of Village - Pansalla (Kuswaha)
Police Station Amarpur, District - Banka

.... Petitioner/s

Versus

1. The State Of Bihar Through The Director, Department Of Education, Govt. Of Bihar, Patna
2. The Director, Department Of Education, Govt. Of Bihar, Patna
3. The District Magistrate, Bhagalpur
4. The District Superintendent Of Education, Bhagalpur
5. The Member, District Teacher Employment Appellate Tribunal, Bhagalpur
6. The Block Development Officer, Shahkund Block, Police Station - Shahkund, District - Bhagalpur
7. The Block Education Extension Officer, Shahkund Block, Police Station - Shahkund, District - Bhagalpur
8. The Panchayat Sachiv, Jagaria Gram Panchayat, Shahkund Block, Police Station - Shahkund, District - Bhagalpur
9. The Mukhiya, Jagaria Gram Panchayat, Shahkund Block, District - Bhagalpur
10. Bodh Narayan Pd. Singh Son Of Sri Agrahan Pd. Singh Resident Of Village - Sultanpur, P.S. - Shahkund, District - Bhagalpur

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Alok Kumar Sinha
: Mr. Bhola Kumar
For the Respondent/s : Mr. Ajay Kumar, A.C. to AAG-8
For the Respondent No.10: Mr. Abdul Mannan Khan
Mr. Najmul Hoda

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL JUDGMENT
Date: 29-03-2016

1. Learned counsel for the petitioner is permitted to implead the District Magistrate, Banka and the District Programme Officer (Establishment), Banka, as party respondent Nos.11 and 12 respectively.

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



3. In this case, the petitioner is challenging the order of the Tribunal dated 08.06.2013 passed in Appeal No. 1 of 2013, whereby and whereunder, it was found by the Tribunal that the petitioner cannot be given weightage on account of the fact that he did not acquire experience of one year as Lok Shikshak, though the certificate shows that he had worked for one year, but he was paid salary of the work done by him for six months.

4. Claim has been made by the petitioner that he has worked for one year as Lok Shikshak. In support of his submission, he has brought different certificates issued by the different authorities including the certificate issued by the District Superintendent of Education-cum-District Programme Officer, Banka. One of the certificates was issued by the Mukhiya, indicating that the petitioner has worked as Lok Shikshak from 06.02.2006 to 05.01.2007, but it does not stand to the reason and it is not convincing to this Court that when the petitioner was paid honorarium only six thousand rupees for six months for the work performed by him, which is apparently clear from the payment slip so much so in the Counter affidavit filed by the State, it has been stated that the project where the petitioner had discharged his duties as Lok Shiksha was only for six months and thereafter the project was closed and whatever amount the petitioner

was entitled, the same has been paid to him, than how the petitioner has worked for one year as Lok Shikshak.

5. Looking to the attending facts and circumstances of the case, it gives an inference that whatever the certificates has been produced before this Court are completely forged and fabricated certificates. There is no question of interfering with the order of the Tribunal, where the Tribunal has arrived to a finding that the petitioner cannot be given any weightage as he discharged the duty as Lok Shikshak only for six months.

6. As the petitioner is claiming that the documents brought by him are genuine, let the District Magistrate, Banka, examine the matter, whosoever is involved in creating the forged and fabricated certificates including the petitioner himself and take stern action against the person concerned in accordance with law..

7. With these observations and directions, this petition is dismissed.

(Shivaji Pandey, J)

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