

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1227 of 2017

IN

Civil Writ Jurisdiction Case No. 3983 of 2014

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Mithilesh Kumar Singh, Son of Late Ram Kripal Singh, Resident of Village-
Raghunathpur, Police Station- Kudhani, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar
2. The Director General of Police, Patna.
3. The Inspector General of Police, Bihar, Patna.
4. The Deputy Inspector General of Police, Bihar.
5. The Superintendent of Police, Railway, Muzaffarpur, Bihar.
6. The Deputy Superintendent of Police, Railway, Sonepur-Cum-Enquiry Officer.
7. The Headmaster, Sondho High School, Vaishali.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Jagannath Singh

For the Respondent/s : Mr. P.K. VERMA- AAG3

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 15-11-2017

Seeking exception to an order dated 25.07.2017 passed
by the learned Writ Court in CWJC No. 3983 of 2014 this appeal
under Section 10 of the Letters Patent has been filed.

The petitioner was appointed as a Constable on the basis
of 7th pass certificate showing his date of birth to be 07.04.1996.
However, subsequently, it was found that in the Matriculation
certificate issued to the petitioner in the dyear 1985 and again in the
year 1989 showing his date of birth as 04.02.1969 and thereafter



again 07.04.1966. On account of the fact that the petitioner had obtained employment by producing a false 7th pass certificate a departmental enquiry was conducted, and on the enquiry allegation being found to be proved, he was dismissed from service. The writ petition was also dismissed.

Even though the learned counsel tried to indicate that the petitioner has not produced any false or fabricated certificate but after considering the entire enquiry proceedings and the detailed observations made in paragraph 11 of the order passed by the learned Writ Court and due appreciation of the facts that come on record we see no reason to interfere into the order which are as follows:-

“11. It is transpired that at the time of admission in Sondhu High School, Vaishali the certificate of first attended school of the petitioner was not produced. It appears that petitioner knowingly and intentionally produced fake and forged document of 7th pass certificate showing his date of birth as 07.04.1966, in order to get appointment on the post of Constable, although the petitioner had passed matriculation examination before the application made by the petitioner for appointment and in the matriculation certificate date of birth of petitioner was mentioned as 04.02.1969 and on the date of application for appointment to the post of Constable



the petitioner was minor and he was not eligible for appointment to the post of Constable.”

There is no error in the order of the learned Single Judge warranting reconsideration in the matter.

The appeal is therefore dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

mr.l./-

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