

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2104 of 2015

IN

Civil Writ Jurisdiction Case No. 20652 of 2012

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Mukund Kumar Singh son of Upendra Narain Singh, Resident of village & P.O.-
Olapur Gangaur, P.S. & District- Khagaria

.... Appellant

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Education Officer, Khagaria
4. The Block Education Officer, Khagaria
5. The Panchayat Secretary, Gram Panchayat Raj Olapur Gangaur, District- Khagaria
6. Kumari Lalmani, wife of Sri Bibhuti Kumar Singh, Resident of village Sanhauli, P.S. and District- Khagaria

.... Respondents

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Appearance :

For the Appellant : Mr. Bharat Bhushan, Advocate

For the Respondents : Mr. Madhaw Prasad Yadav, GP-23

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

and

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-02-2017

The Court *prima facie* is not satisfied with the reason indicated for the delay of 295 days in preferring this appeal. However, in larger interest, the Court is willing to condone the delay of 295 days and allow the I.A. No. 9209 of 2015.

Coming to the merits of the matter, the issue relates to the appointment of Panchayat Teacher under the Gram Panchayat Raj, Olapur Gangaur in the district of Khagaria. From a reading of the order of the learned single Judge, it has emerged that fraud was



practiced on each and every stage in the process of selection. Such decision was put through a quasi judicial proceeding by invoking the jurisdiction of the District Teachers Appointment Appellate Authority, which found such allegations to be true. Against such decision, two other previous writ applications were filed, which are C.W.J.C. No. 17240 of 2012 and C.W.J.C. No. 19157 of 2012. Both these writ applications were heard earlier and dismissed on 04.07.2013 and 28.10.2013.

The learned single Judge has only passed the order in consonance with the previous adjudications and the findings, for the consistency of justice.

Appeal has no merit. It is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

Pawan/-

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