

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1540 of 2015

In
Civil Writ Jurisdiction Case No.6219 of 2015

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Naseem Fatima @ Naseem Fatma daughter of Imteyaz Alam, wife of Adil Asghar, R/o Pokhrari (Pakhnari), P.O. & P.S.- Sheo Sagar, Distt- Rohtas.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Primary Education, Bihar, Patna.
2. The District Magistrate, Sasaram at Rohtas.
3. The Senior Additional Collector, Incharge District Public Grievance Cell, Rohtas.
4. The District Education Officer, Sasaram at Rohtas.
5. The District Education Superintendent, Rohtas.
6. The District Programme Officer, Establishment, Rohtas.
7. The District Jan Siksha Officer, Rohtas.
8. The Block Development Officer, Shivsagar, Sasaram at Rohtas.
9. The Block Education Officer, Shivsagar Block Sasaram at Rohtas.
10. The Panchayat Sewak-cum-Sachiv Padri Gram Panchayat, Sasaram at Rohtas.
11. The Mukhiya Gram Panchayat, Padri Shiv Sagar, Sasaram at Rohtas.
12. Rashida Jabbin, Daughter of Irshad Ahmad, Resident of Mohalla-Chaukhandi, P.O. & P.S.- Sasaram at Rohtas.
13. Tarannum Nisha Parvez, Daughter of Md. Zubair, Resident of Village-Gajoundha P.O.- Barela, P.S.- Sheosagar, District- Rohtas.

... .. Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Yugal Kishore, Senior Advocate
		Mr. Dineshwar Tiwary, Advocate
For the Respondent/s	:	Mr. A. Ujjwal, SC 25

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date : 27-11-2017

Having heard learned counsel for the parties, we find no error in the order passed by the learned Writ Court. Once the illegally person is removed, the entire appointment process has come to end. The appellant who is at serial no.2 cannot be granted



appointment and the learned Writ Court in doing so has not committed any error by directing that exercise should be done afresh after removal of the illegally appointed candidate.

Accordingly, finding no error in the order of the learned Single Judge, the appeal is dismissed. In case, the illegally appointed candidate is still working, the authorities are directed to implement the order of the learned Writ Court and remove respondent No.12 from her service.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

Sunil/-

AFR/NAFR	NAFR
CAV DATE	NA
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