

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1542 of 2016
Arising out of
Civil Writ Jurisdiction Case No. 1033 of 2016**

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Praveen Khatoon, Daughter of Md. Hafij, Resident of Gram+Post- Mahinath,
Police Station- Pear, District- Muzaffarpur.

.... Appellant/s

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Division, at Muzaffarpur.
3. The District Magistrate, Muzaffarpur.
4. District Education Officer, Muzaffarpur.
5. The Block Development Officer, Bandra, Muzaffarpur.
6. The Block Education Officer Bandra, Muzaffarpur.
7. The Principal Central Urdu High Middle School, Rampur Mahinath, Anchal-Bandra, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Pradhan Murli Manohar Prasad, Advocate
Mr. Raju Kumar, Advocate

For the Respondent/s : Mr. G.P. Ojha, G.A. 7
Mrs. Priya Gupta, A.C. to G.A. 7

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**CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL JUDGMENT
(Per: HONOURABLE THE CHIEF JUSTICE)
Date: 11-04-2017**

Seeking exception to an order passed by the learned
Writ Court on 19.07.2016 in C.W.J.C. No. 1033 of 2016 this appeal



has been filed under Clause 10 of the Letters Patent.

2. Appellant sought appointment as an Education Volunteer (Shiksha Sawamsewi) under a scheme for motivation of children of the Most Backward Minority Community. Even though appellant was empanelled in the merit-list but as she did not appear for counseling, she was not granted the appointment and challenging the same the writ petition was filed.

3. The Writ Court found that the appellant having not participated in the process of counseling and the appointment being in scheme of payment of honorarium, no interference is called for. Even though in this appeal appellant has tried to demonstrate before us that she went to participate in the process of counseling, her signatures were taken in a blank paper and by playing mischief with her she was shown to have not come for counseling, the action is undertaken.

4. We are of the considered view that once the Writ Court has examined the issue and has come to the conclusion that the appellant did not participate in the process of counseling, that being so, no case is made out for any indulgence into the matter. The grounds of misrepresentation and fraud canvassed by the appellant before us seems to have been raised as an afterthought. No such averment seems to have been made before the Writ Court in the writ petition. That being so, we see no reason to make any indulgence into



the matter.

5. The Letters Patent Appeal is, therefore, dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

P.K.P.

AFR/NAFR	N.A.F.R.
CAV DATE	N.A.
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