

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.1227 of 2014
IN
Civil Writ Jurisdiction Case No. 7560 of 2010**

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Nutan Kumari D/O Late Bindeshwar Prasad Yadav R/O Vill. & Post- Parbatta,
P.S.- Parbatta, Distt.- Khagaria

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Govt. of Bihar, Patna
2. The Director of Primary Education, Govt. of Bihar, New Secretariat Building, Bailey Road, Patna
3. The District Teacher Engagement, Appellate Authority, Khagaria, Through Its Member
4. The District Magistrate, Khagaria
5. The Block Development Officer, Parbatta, In the District of Khagaria.
6. The District Superintendent of Education-Cum-District Programme Convenor, Khagaria, Bihar Education Project Khagaria, In The District of Khagaria
7. The Block Education Extension Officer, Parbatta Cum-Secretary of Block Teacher Engagement, Distt.- Khagaria
8. The Pramukh, Panchayat Parwatta under district Khagaria
9. The Secretary, Bihar School Examination Board, Patna
10. Sheema Kumari D/O Late Bindeshwar Prasad Yadav R/O Vill. & Post-Parbatta, P.S.- Parbatta, Distt.- Khagaria

.... Respondent/s

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Appearance :

For the Appellant/s	:	Mr. Rakesh Narayan Singh, Advocate Mr. Prabhat Ranjan Singh Advocate
For the Respondent/s	:	Mr. Sayed Salim Khan, SC-25
For the Respondent No. 10	:	Mr. Ranjan Kumar Singh, Advocate

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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: 21-04-2017

Heard learned counsel for the appellant, counsel for
the State as well as the private-respondent.



The facts speak for themselves. The reason why the Learned Single Judge has come down heavily upon the appellant was because she has practiced fraud in obtaining employment under the State as a Panchayat Teacher. Since already the Learned Single Judge has directed initiation of a criminal proceeding and also recovery of salary, which was paid to her on the basis of such appointment, the Bench is of the opinion that cost of Rs. 50,000 /- (fifty thousand) only, imposed upon her, may be excessive, as she is already going to face the music for her indiscretion otherwise.

The appeal is allowed to the extent that the cost of Rs. 50,000 /- (fifty thousand) only, ordered to be deposited by the appellant in the account of Bihar State Legal Services Authority, is hereby set aside. Rest of the order shall stand.

Appeal is disposed off in terms of above.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	25.04.2017
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