

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.2072 of 2015

IN

Civil Writ Jurisdiction Case No. 12087 of 2015

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1. Ranjeet Kumar Garg S/o Late Rajendra Prasad Singh, R/o Village- Sabikpur,
P.O.- Damodarpur, P.S.+District- Lakhisarai.

.... Appellant/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna.
3. The Director, Primary Education, Government of Bihar, Patna.
4. The District Magistrate, Jamui.
5. The District Education Officer, Jamui.
6. The Block Education Officer, Jhajha Block, Jamui.
7. The Mukhiya, Hathiya Gram Panchayat, Hathiya Jhajha, Jamui.
8. The Panchayat Sachiv, Hathiya Gram Panchayat, Hathiya Jhajha, Jamui.
9. Manoj Kumar Kushwaha, son of Sri Tarni Mandal, resident of Village- Shair
Jhajha, P.S.- Jhajha, District- Jamui.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr S.S.Tiwary
Mr. Prabhat Ranjan Singh
For the Respondent/s : Mr. S.S.P. Yadav, SC 14

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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

Delay of 11 days in preferring the appeal is condoned. I.A.

No.9122 of 2015 is allowed. Matter is thereafter heard on merits.

Looking at the nature of the direction issued by the learned
Single Judge dated 10.8.2015 in the writ application the only thing,
which is required to be observed at this juncture, is that the marks-
sheet of the private respondent no.9 is under some kind of an



enquiry by the Vigilance.

This leeway was even granted to the employment unit. However, since a Division Bench of this Court has ordered a Vigilance enquiry in such matters of appointment, the finding and outcome of the Vigilance enquiry shall now govern the issue. If the marks-sheet is found to be fraudulent and forged of respondent no.9, he has to be shown the door or else his continuance will not remain an issue.

The appeal stands disposed of with the above observation.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

sk

AFR/NAFR	NAFR
CAV DATE	NA
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