

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1349 of 2013

IN

Civil Writ Jurisdiction Case No. 15506 of 2013

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Krishan Kumar, son of Sri Ram Gopal Sharma, resident of Village - Muradpur, P.S.
- Dumra, District - Sitamarhi

.... Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The District Education Officer, Sitamarhi
4. The Principal, District Education and Training Institute, Sitamarhi
5. The District Programme Officer (Establishment), Sitamarhi
6. Binod Mandal, Assistant Teacher, Middle School, Mosidha Hindi, Charauth, P.S. Pupari, Distt. - Sitamarhi

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Mrityunjay Kumar, Advocate

For the Respondent/s : Mr. Raghwanand, G.A.-11

Mr. Ashutosh Kumar Jha, AC to G.A.-11

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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: 15-02-2017

Writ application of the petitioner was dismissed vide order dated 14.08.2013. The decision of the District Education Officer, Sitamarhi cancelling his selection on the post of Coordinator, Block Resource Centre, Choraut was challenged in the writ.

2. Learned Single Judge has reproduced the relevant guidelines as to the qualification, which is required to be acquired by a candidate for such responsibility. Learned Single Judge after having



heard counsel for the writ petitioner did categorically record that the certificate of experience obtained by the appellant from Kendriya Vidyalaya does not enable the writ petitioner to bring him within the frame-work of the guidelines, which have been laid down by the State of Bihar for such assignment.

3. This Court in appeal is not willing to hold or find equivalence to the experience which the appellant has and on which basis he is claiming right for such selection for many reasons. If a specific guideline as to the eligibility has been notified then on non-fulfilment of the same will surely make a person ineligible for continuance or selection on the post of Coordinator of Block Resource Centre.

4. Learned Single Judge has committed no error in dismissing the writ application. The appeal is dismissed.

(Ajay Kumar Tripathi, J.)

(Nilu Agrawal, J.)

Arjun/-

AFR/NAFR	NAFR
CAV DATE	NA
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