

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.483 of 2016
IN
Civil Writ Jurisdiction Case No. 9168 of 2008**

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Nitu Singh D/o Sri Baijnath Singh, W/o Ranjan Kumar, resident of village- Pakauli,
P.S.- Bidupur, District- Vaishali

.... Appellant/s

Versus

1. The State of Bihar
2. The Secretary, Department of Rural Development and Panchayat Raj,
Government of Bihar, Patna
3. The Secretary Department of Human Resources, Government of Bihar, Patna
4. The Director, Department of Panchayati Raj, Government of Bihar, Patna
5. District Magistrate, Vaishali
6. Block Development Officer, Bidupur, Vaishali
7. The District Panchayati Raj Officer, Vaishali, Hajipur
8. Rajeev Ranjan son of Binod Singh, resident of village- Pakauli, P.O.- Rajasan,
P.S.- Bidupur, District- Vaishali

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Aditya Narayan Singh, Advocate
Mr. A.R. Pandey, Advocate

For the Respondent/s : Mr. AAG-15

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-03-2017

Delay in filing of the appeal is condoned.

Having heard learned counsel for the appellant, we are
of the considered view that once it was found by the learned Writ
Court that on the date when the petitioner was appointed, petitioner
did not possess the minimum qualification required for appointment
i.e. Matriculation and had only acquired the certificate of Madhyama



on the relevant date of appointment, in dismissing the writ petition, we see no error in the order passed by the learned Writ Court warranting re-consideration. The subsequent amendment to the Rule prospectively with effect from 31.1.2008 will not help the petitioner in canvassing any contention now.

Even if, according to the petitioner, some person has been appointed from the same panel, once it is evident from the record that the petitioner does not fulfil the statutory minimum qualification, we see no reason to make indulgence in the matter.

The appeal is dismissed.

(Rajendra Menon, CJ)

(Sudhir Singh, J)

K.C.jha/-

AFR/NAFR	NAFR
CAV DATE	N/A
Uploading Date	1.4.2017
Transmission Date	N/A

