

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.19823 of 2011

1. Abhigyat Kumar, S/O Sonalal Prasad, Village - Panapur Bheriyahi, P.S. Hassidhi, P.O. Panapur, District - East Champaran.
2. Gayatri Kumari, W/O Rajesh Kumar, Village - Bairiya, P.O. Damodarpur, P.S. Pipra, District - East Champaran.
3. Dharmendra Kumar, S/O Om Prakash Yadav, Village - Jogolia Nanhakar, P.O. Rupani, P.S. Madhuban, Distt. East Champaran.
4. Bharat Bhushan Yadav, S/O Binda Rai, Village - Jogolia, P.O. Gulwara Madhuban, P.S. Madhuban, Distt - East Champaran.
5. Poonam Kumari, W/O Arun Kumar, Village - Bakitekam, P.O. Gulwara Madhuban, P.S. Madhuban, District - East Champaran.
6. Chanchala Kumari, W/O Rajendra Rai Village + P.O. Jitaura, P.S. Madhuban, Distt- East Champaran.
7. Ravi Kumar, S/O Yado Lal Prasad Gupta, Village - Bairiya, P.O. Damodarpur, P.S. Pipra, District - East Champaran.
8. Sunil Kumar, S/O Banarsi Prasad, Village + P.O. Tikuliya, P.S. Pipra, Distt- East Champaran.
9. Amit Kumar Paswan, S/O Suresh Paswan, Village - Gaura, P.O. Damodarpur, P.S. Pipra, Distt - East Champaran.
10. Vijay Kumar, S/O Harishankar Prasad, Village - Bairiya, P.O. Damodarpur, P.S. Pipra, District - East Champaran.
11. Mukesh Kumar Singh, S/O Umesh Singh, Village - Mahuawa, P.O. Kuriya, P.S. Pipra, District - East Champaran.
12. Nasaruddin, S/O Md. Manzoor, Village - Nandiram Chapra, P.O. Rupani, P.S. Madhubani, Distt-East Champaran.
13. Majhar Alam, S/O Jamiruddin Mian, Village - Madhopur, P.S. Madhuban, District - East Champaran.
14. Kamal Pandit @ Kamaldeo Pandit, S/O Raghunatha Pandit, Village - Parsauni Khem, P.S. Chakiya, Distt - East Champaran.
15. Ramhu Pandit, S/O Wakil Pandit, Village - Gaura, P.O. Damodarpur, P.S. Pipra, District - East Champaran.
16. Neeraj Kumar Pandit, S/O Mangal Pandit, Village - Gaura, P.O. Damodarpur, P.S. Pipra, District - East Champaran.
17. Shyam Sunder Mahto, S/O Binek Mahto, Village - Belhi Ram, P.O. Mirjapur, P.S. Patahi, Distt - East Champaran.
18. Ranvijay Kumar @ Ranvijay Prasad, S/O Baidyanatha Prasad, Village - Taksari, P.S. Madhuban, Distt - East Champaran.
19. Kanchana Kumari, W/O Santosh Kumar Pandey, Village - Sowaiya, P.O. Raghunathpur, P.S. Kesaria, District - East Champaran.
20. Shweta Kumari, D/O Ashok Kumar Tiwary, Village - Sowaiya, P.O. Raghunathpur, P.S. Kesaria, District - East Champaran.
21. Meenu Kumari, W/O Anjani Kumar, Village + P.O. Sirsahani, P.S. Pakari Dayal, District - East Champaran.
22. Abhay Kumar, S/O Sureshwar Kumar, Village + P.O. Dilwarpur, P.S. Kesaria, District - East Champaran.
23. Sanjeev Kumar Verma, S/O Baidaya Natha Prasad, Village + P.O. Sundarpatti, P.S. Pakari Dayal, Distt - East Champaran.
24. Lal Babu Prasad, S/O Rambaran Saha, Village - Jitaura, P.S. Madhuban, Distt - East Champaran.



- 25. Rekha Kumari, W/O Jai Mangal Chaudhary, Village - Maripur Milik, P.S. Madhubani, Distt - East Champaran.
- 26. Sajadur Rahman, S/O Abdul Rashid, Village - Meghana, P.O. Kalyanpur, Distt.- East Champaran.
- 27. Khursheed Ansari, S/O Usman Ansari, Village - Dubarbana, P.S. Pakri Dayal, District - East Champaran.
- 28. Sanjeev Kumar Toni, S/O Ram Balak Paswan, Village - Bioshunpur Tara, P.S. Madhuban, Distt- East Champaran.
- 29. Mumtaj Ahmed, S/O Md. Khalil Village - Tarania, P.O. Bara Chakiya, P.S. Chakiya, Distt- East Champaran.

.... Petitioners

Versus

- 1. The State of Bihar.
- 2. The Member, District Teacher Appointment Appellate Tribunal, Distt- East Champaran.
- 3. The District Education Officer, East Champaran.
- 4. The Block Niyojan Body, Madhuban, District - East Champaran through its Secretary.
- 5. The Block Education Officer, Madhuban-Cum-Secretary, Block Niyojan Ekai Madhuban, Distt - East Champaran.

.... Respondents

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Appearance :

For the Petitioners : None.
For the Respondents : Mr. Shail Kumari Sc15

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 17-07-2017 None appears on behalf of the petitioners.

The petitioners have sought for a direction of this Court that the respondent no. 4 the Block Niyojan Ekai, Madhuban, District- East Champaran through it's Secretary and respondent no. 5 the Block Education Officer, Madhuban-cum-Secretary, Block Niyojan Ekai Madhuban, District-East Champaran, be directed for addition of the names of the



petitioners in the merit list for appointment on the post of Block Teachers.

The petitioners had preferred an appeal before the District Teachers Employment Appellate Authority, East Champaran at Motihari, whereby an order was passed vide Memo No. 125 dated 27.05.2009 giving direction to the respondent nos. 4 and 5 to add the name of the petitioners in the merit list and after that they have been directed to hold counselling and make appointment on the basis of merit.

This Court noticing the reliefs sought for by the petitioners vide order dated 19.12.2011 directed the respondent no. 5 i.e., the Block Education Officer-cum-Secretary, Block Employment Unit, Madhuban, East Champaran, to file a show cause. A show cause has been filed on behalf of respondent nos. 4 and 5. In paragraph no. 4 of the said show cause it has been stated as follows:-

“4. That it is relevant to mention here that the deponent has neither got any knowledge nor received any copy of the order of the District Teachers Appointment Appellate Tribunal, East Champaran, hereinafter referred to Forum (Annexure-1 to the writ application). It is humbly submitted that soon after getting the knowledge of the instant writ application, the deponent



approached the Forum for verification of the order as passed by the Forum as contained in Annexure-1 of the writ application and it is surprising enough to state here that the Office Secretary of the Forum after verifying the office issue register, state that as the impugned order as contained in Annexure-1 of the writ application, vide Memo No. 125 dated 27.05.2009 is not mentioned in the office issue register. The fact still remain that the writ petitioners have annexed a forged and fabricated order in this Hon'ble Court which was never been issued by the Forum with ill and malicious motive just to defect the interest of justice. It is humbly and respectfully submitted that the deponent in any way not done any arbitrary discriminately or malafide action.

A photo copy of certificate issued by the Office Secretary of the Forum is annexed herewith and marked as Annexure-1 to the show cause."

The petitioners have not controverted the aforesaid contention of the respondent no. 5.

Considering the aforesaid facts and circumstances that the petitioners had produced Annexure-1 which is a forged and fabricated order, said to have been issued by the District Teachers Appellate Authority, East Champaran, no relief can be granted to



the petitioners.

The present writ application stands dismissed.

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(Sudhir Singh, J)

