

IN THE HIGH COURT OF JUDICATURE AT PATNA

Letters Patent Appeal No.1203 of 2016

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Sanjay Kumar Singh, son of Late Damodar Singh, resident of village - Baraon, P.S.
- Nokha, District - Rohtas, at present residing in mohalla Chandmari of Motihari,
District - East Champaran, Motihari.

.... Appellant/s

Versus

1. The State of Bihar through the Secretary, Department of Education, Government of Bihar, Patna.
2. Director, Secondary Education, Department of Education, Government of Bihar, Patna.
3. Regional Deputy Director of Education, Muzaffarpur.
4. District Education Officer, Muzaffarpur.
5. District Inspector of Schools, Muzaffarpur.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Chitranjan Sinha, Sr.Adv.
Mr. Rakesh Kumar Samrendra, Adv.
For the Respondent/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)
Date: 15-11-2017

Heard learned senior counsel for the appellant.

The order under challenge is dated 04.08.2015 passed
by the learned Single Judge in CWJC No.626 of 1999. The learned
Single Judge dismissed the writ application on the ground that the
appointment of the appellant was neither in accordance with law or
the rules or by a competent authority who had no powers to make
such appointments on such a large scale basis within the District. The
Court does not want to repeat all the grounds which have been



provided by the learned Single Judge in his order along with the decisions even rendered at the level of the Hon’ble Apex Court. The essence of the said decision is that if the appointment of the appellant was illegal, therefore, the termination cannot be said to be illegal.

This Court has taken similar view in other LPAs also in similar kind and refused to interfere with the order of the learned Single Judge failing to find infirmity either on the facts or in law applied to the said case.

In view of the above, the appeal has no merit. The order does not require any rectification or interference.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Rajeev Ranjan Prasad, J)

Arvind/-

AFR/NAFR	
CAV DATE	
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