

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15632 of 2012

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Md. Ekramul Haque Khan Warsi S/O Late Noor Mohammad Khan Warsi,
R/O Village- Bikramganj, P.S.- Bikramganj, District-Rohtas

.... Petitioner/s

Versus

1. The State of Bihar through Director, Primary Education, Government of Bihar, Patna
2. The District Magistrate, Rohtas at Sasaram
3. The District Superintendent of Education, Rohtas, Sasaram
4. The District Education Officer, Rohtas at Sasaram

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Singh, Advocate
For the Respondent/s : Mr. Girija Shankar Pd., GP-1

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2017 In the present writ application, the petitioner has sought for quashing of the order dated 16.12.2011 passed in Case No.4 of 2011 by the District Magistrate, Rohtas, Sasaram, by which the services of the petitioner has been terminated.

The petitioner against the termination order passed by the District Magistrate-cum-Chairman of the Establishment Committee, Rohtas had preferred a writ application vide C.W.J.C. No.3590 of 2010 dated 14.12.2010, whereby the case of the petitioner was remitted back to the District Magistrate-cum-Chairman of the Establishment Committee, Rohtas for



reconsideration on the ground that the cases of the other similarly situated persons have been allowed. In the light of the said order, the order under challenge has been passed by the District Magistrate, Rohtas, Sasaram. Para 8 of the counter affidavit filed on behalf of the Respondent Nos.3 and 4 is as follows :

“8. That from perusal of the order passed by the learned District Magistrate it would appear that the claim of the petitioner has basically been rejected on following grounds :

- (i) Petitioner failed to establish that out of the panel which was made available by the petitioner in which the name of petitioner was appearing at serial no. 180, no one after the petitioner or the person appearing at serial no. 179 was ever appointed.
- (ii) Petitioner was also failed to prove that he was not appointed on the basis of forged documents.
- (iii) The petitioner had approached after 21 years of his termination made by the Director (Primary Education) on 27.07.1989.

Considering that grounds as mentioned in the counter affidavit for rejecting the claim of the petitioner, I find no reason for interfering with the order passed by the District



Magistrate, Rohtas, Sasaram.

Accordingly, the present writ application stands
dismissed.

(Sudhir Singh, J)

Narendra/-

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