

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.462 of 2015
Arising out of
Civil Writ Jurisdiction Case No. 21081 of 2013**

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Bachchi Roy, wife of Sri Ram Sevak Roy, resident of village - Kharahiya, Police Station- Hasanpur, District - Samastipur.

.... Appellant/s

Versus

1. The State of Bihar through the Secretary, Secondary, Primary and Adult. Education Department, Government of Bihar, Patna.
2. The Secretary, Secondary, Primary & Adult Education Department, Govt. of Bihar, Patna.
3. The Director, Secondary Education, Department of Secondary, Primary and Adult Education, Govt. of Bihar, Patna.
4. The District Education Officer, District Samastipur.
5. The Principal, Project Balika Uchch Vidyalaya, Mangalgarh, Hasanpur, District - Samastipur.
6. The Accountant General, Bihar, Patna.

.... Respondent/s

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Appearance :

For the Appellant/s :

For the Respondent/s :

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CORAM: HONOURABLE THE CHIEF JUSTICE

and

HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

(Per: HONOURABLE THE CHIEF JUSTICE)

Date: 28-07-2017

Keeping in view the fact that based on the directions issued by the Supreme Court the Three Member Committee looked into the grievance of the appellant and in the communication made to the appellant, as is evident from Annexure-4 dated 22nd of July, 2008 the appellant's appointment is found to be illegal on account of the fact that she was over age at the time of appointment, no indulgence can be made by us only on the ground that at the time of induction no



rule for prescribing minimum age of appointment was notified. The Supreme Court having entrusted the question of examining the question of appointment in question to a Three Member Committee and the Three Member Committee having given an opinion that the appointment is illegal, we cannot make indulgence into the matter.

The Letters Patent Appeal stands dismissed.

(Rajendra Menon, CJ)

(Anil Kumar Upadhyay, J)

P.K.P.

AFR/NAFR	N.A.F.R.
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