

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.2187 of 2015

In
Civil Writ Jurisdiction Case No. 19254 of 2010

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1. Pratap Narayan Mishra S/o Late Vishnudutt Mishra, Resident of Mohalla- Chand Chaura, P.S.- Civil Line, District- Gaya, Ex-Acting Headmaster Nationalized High School Deokali, P.S. Guraru, District- Gaya.

.... Appellant/s

Versus

1. The State of Bihar through its Principal Secretary, Human Resources Development Department, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
2. The Director, Secondary Education, Human Resources Development Department, Bihar Secondary Education Office, Budh Marg, Patna-1.
3. The Regional Deputy Director of Education, Magadh Division, Gaya.
4. The District Education Officer, Gaya.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Anirudh Kumar Verma
Mr Vikas Kr. Mishra

For the Respondent/s : Mr. Anil Kumar Singh, GP 26

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI
and
HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

2 03-02-2017 It is a contrived kind of certification, which has been obtained from a doctor as a desperate measure to explain the delay in filing the appeal, which is delayed by 222 days. It is not a fit case where condonation should be allowed. Therefore, I .A. No.9485 of 2015 is dismissed.

Even otherwise, the Court has gone through the impugned order passed in the writ application, which is dated



28.1.2015. The finding of the authorities as well as the learned Single Judge is that the petitioner had obtained employment by procuring a forged appointment letter, which, on enquiry, was found to be so. Opportunity was given but, as usual, the appellant has been evading and avoiding participation despite the High Court giving an opportunity the first time over. Since the entire engagement and appointment was based on fraud and deceit, the learned Single Judge has rightly dismissed the writ application refusing to interfere with the decision of the respondent authorities. Even otherwise the appeal lacks merit.

Both the limitation petition and the appeal, therefore, stand dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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