

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.646 of 2016

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1. Kumud Kishore Pandey, son of late Ramchandra Pandey, resident of village + P.O. Balivan Sagar, P.S. Bishwmbharpur, District Gopalganj (Bihar), Pin No. 841501
 2. Bisnu Kumar, son of late Laljee Mahto, resident of village Nonia Toli Purani Chouk Ward No. 20 P.S. Bishwmbharpur, District Gopalganj
 3. Chandan Baitha, son of late Manak Baitha, village Sipaya, P.O. Sipaya, P.S. Bishwmbharpur, District Gopalganj
 4. Amzad Hussain, son of late Nabi Hussain, resident of village Amwa Vijaypur, P.S. Bishwmbharpur, District Gopalganj
 5. Ramsakal Ray, son of late Dhari Ray, village Balivan Raymal, P.O. Balivansagar, P.S. Bishwmbharpur, District Gopalganj
 6. Nawî Rasul, son of Chokat Miayan, village + P.O. Sipaya, P.S. Bishwmbharpur, District Gopalganj
 7. Faiyaz Ahmad, son of Parwes Alam, resident of village Amwa Vijaypur, P.S. Bishwmbharpur, District Gopalganj
 8. Md. Ummar, son of Abdul Rahaman, resident of village Japhar Tola, P.S. Baroli, District Gopalganj
 9. Rajrup Kumar Prasad, son of Sakal Prasad, resident of village Hembardaha, P.S. Kuchakikoote, District Gopalganj
 10. Ashnarayan Singh, son of Bhola Singh, resident of village Olipur, P.S. Yadopur, District Gopalganj

.... Petitioners

Versus

1. The State of Bihar through the Chief Secretary
2. The Commissioner, Saran Division Saran
3. The District Magistrate cum Collector, Gopalganj
4. The Additional Collector, Gopalganj
5. The Deputy Collector, Establishment, Gopalganj
6. The District Employment Officer, District Employment Exchange, Gopalganj
7. The Civil Surgeon, Gopalganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Adv.
For the Respondent/s : Mr. Kumar Manish, SC21

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN

ORAL JUDGMENT

Date: 07-08-2017

Heard learned counsel for the parties.

The petitioners claim appointment to Class IV post following the selection process initiated by the authorities of the Collectorate,



Gopalganj in pursuance of the order passed in C.W.J.C.No. 10444/2005.

The pleadings on record would confirm that a panel of 162 candidates was prepared including the petitioners except petitioner no.10 whose name has been expunged earlier because he failed to produce the experience certificate. The statement made by the respondents at paragraph 7 of the counter affidavit would show that of amongst 162 candidates who figured in the panel inclusive of petitioners no. 1 to 9, 110 candidates were appointed while the educational certificate of 52 candidates was found to be fake and according to the learned counsel for the State, the list of 52 candidates whose educational certificate was found fake included the petitioners. A panel of successful candidates as well as those whose educational certificate was found fake was presented before this Court in M.J.C.Nos. 3712/2009, 2999/2011 and 2869/2011 and was taken note of. The contempt application was disposed of leaving it open for the aggrieved to take recourse to the remedy available. A copy of the order passed in M.J.C.No. 3712/2009 has been produced by Mr. Deepak Kumar, AC to SC-5, let the same be taken on record. The current situation is that despite the liberty so granted by the Bench to the aggrieved to contest the finding of the Committee on the fake educational certificate, there is nothing on record to shift the stand.



In the circumstances, no cause for indulgence is made out.
The writ petition is dismissed.

(Jyoti Saran, J)

Surendra/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	08.08.2017
Transmission Date	NA

