

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1069 of 2014

In
Civil Writ Jurisdiction Case No.21758 of 2012

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1. Monazir Siddique Son of Zainul Abedin R/O village - Taiyabpur, P.O. Kurhela Bobra, P.S. Kadwa, District - Katihar.
 2. Najma Khatoon Wife of Zainul Abedin The then Mukhiya, Gram Panchayat Raj Tetaliya, P.S. Kadwa, District - Katihar.
 3. Zainul Abedin Son of late Haji Ali Hasan R/O village - Taiyabpur, P.O. Kurhela Bobra, P.S. Kadwa, District - Katihar.

... .. Appellant/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Human Resources Development, Government of Bihar, Patna.
2. The District Magistrate Cum Collector, Katihar.
3. The District Education Officer, Katihar.
4. The District Superintendent of Education, Katihar.
5. The Block Development Officer, Kadwa Block, Katihar.
6. The Block Education Extension Officer, Kadwa, Katihar.
7. The Member District Teachers Selection Appellate Tribunal, Katihar.
8. The Mukhiya, Gram Panchayat Secretary, Gram Panchayat Raj Tetaliya, Kadwa, Katihar.
9. The Panchayat Secretary, Gram Panchayat Raj Tetaliya, Kadwa, Katihar.
10. Ghulam Md. Jeelani Ashraf Son of late Abdul Jabbar R/O Village - Bobra, Via - Salmari, P.S. Kadwa, District - Katihar.
11. Md. Anwarul Haque son of late Munsif Mofijuddin Head Master of School, Resident of village Tayabpur, P.O. Kurhela Bobra, P.S. Kadwa, District Katihar.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Helal Ahmad
For the Respondent/s : Mr. Ramakant Sharma, Sr. Advocate
Mr Md. N.Hoda Khan, SC I

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

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date : 05-02-2018

In terms of the direction dated 20th of November, 2017, the
Superintendent of Police, Vigilance Investigation Bureau,



Government of Bihar, has forwarded a report of the Dy. S.P., who conducted a preliminary inquiry in relation to appointment of Panchayat Teachers in Gram Panchayat Tetaliya, Block Kadwa, District Katihar, in the year 2008-2010. The detailed report dated 20th of January, 2018 after having verified all the records and having given opportunity of hearing to the parties concerned, reaches a conclusion that prima facie a case under several Sections of the IPC as well as Prevention of Corruption Act is made out.

The Vigilance authorities are now directed to lodge a formal FIR against all the persons against whom material has come, take the investigation to its logical end and set the law in motion, may be by filing a charge-sheet against whom case is finally made out. From a reading of the report it is noted that the present appellants' efforts in preferring the Letters Patent Appeal is basically to overcome the findings, which have come even in the order of the learned Single Judge, but with the added inputs and materials of the Vigilance, the Court would not be inclined to interfere in the appeal. The Letters Patent Appeal is dismissed.

It seems that the appellants are the beneficiaries of the manipulation done by the Gram Panchayat, especially the then Mukhiya and appellant no.1 happens to be son of the said Mukhiya. With these materials the Vigilance must complete the



investigation and file charge-sheet preferably within a period of four months.

The report of the Vigilance is placed on record in a sealed over.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

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AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	NA

