

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2328 of 2016

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Pappu Yadav, son of Laxmi Prasad Ydav, resident of village-Devri Khas,
P.O. Gamharia, Via-Madanpur, P.S. Terrhagachh, District-Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education
Department, Government of Bihar, Patna
2. The Director, Primary Education, Government of Bihar, Patna
3. The District Magistrate, Araria
4. The District Programme Officer, Araria
5. The District Programme Officer (Establishment), Kishanganj
6. The District Education Officer, (Establishment), Kishanganj
7. The District Education Officer-cum-Sub Divisional Officer, Kishanganj
8. The Head Master, Primary School, Dhapari East, Palasi, District-Araria

.... Respondent/s

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Appearance:

For the Petitioner/s : Mr. Nagendra Kumar Singh
For the Respondent/s : Mr. Dr. Anshuman, SC-14

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 09-10-2018

Reg: I.A. No. 3734 of 2016

The present Interlocutory Application has been filed by the petitioner seeking to amend the writ petition and now the petitioner seeks quashing of the order dated 18.04.2016 passed by the District Appellate Authority, Araria by which the case of the petitioner has been rejected.

I.A. No. 3734 of 2016 is allowed and the Registry is directed to add the prayer made in paragraph no. 1 of the present I.A. to paragraph no. 1 of the main writ petition.

Reg: CWJC No. 2328 of 2016



The present writ petition has been filed for directing the respondents to correct the entry made in the verification register / list of the office of the District Programme Officer (Establishment), Kishanganj, whereby and where under after enquiry from the records and verification of the dispatch register, amended order dated 04.12.2014 has been issued whereby and where under the experience certificate of the petitioner has been directed to be treated to have been issued validly.

The learned counsel appearing for the respondent State has referred to the counter affidavit filed by the District Programme Officer (Establishment), Araria and has relied upon paragraph nos. 5, 6 & 7 to contend that the experience certificate submitted by the petitioner is valid and genuine and confusion had arisen on account of mistake in mentioning the dispatch number and date by the office in the experience certificate.

In view of the admitted stand of the respondent State that the experience certificate submitted by the petitioner is genuine, the order passed by the District Appellate Authority, Araria dated 18.04.2016 is set aside since the very basis of the said order was that the petitioner was possessing a fake experience certificate and the same has vanished inasmuch as the State has found the said certificate to be genuine.



In view of the setting aside of the appellate order dated 18.04.2016, the respondents authority are directed to consider the case of the petitioner for appointment within a period of four weeks from receipt/production of a certified copy of the present order.

The writ petition is allowed.

(Mohit Kumar Shah, J)

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