

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.8680 of 2012

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Sudhakar Kumar S/O Late Talewar Prasad A Resident Of Village - Dharkan,
P.S.- Pranpur, Distri2018ct - Katihar

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director, Elementary Education, Bihar
3. The Secretary Elementary Education, Bihar
4. The District Education Superintendent Of Education Arariya
5. The District Education Officer, Arariya
6. The Block Education Officer, Kursa Kamta Block- Arariya
7. The Head Master, Utkramit Middle School, Sagardina, Block- Kursa Kanta Arariya

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar
For the Respondent/s : Mr. Prashant Pratap Gp6

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 09-07-2018 Earlier this case was listed under the heading for dismissal on account of non-prosecution. The case was listed under different dates but no one appeared on behalf of the petitioner. The case was again listed under the heading for dismissal on 2.7.2011. On that date, learned counsel for the petitioner appeared and prays for adjournment of the case. Even today no one has appeared on behalf of the petitioner to argue the case.

The present application was filed for quashing of the order dated 14.2.2012 whereby the service of the petitioner was terminated.



Learned counsel in the pleading has asserted that petitioner was appointed as Assistant Teacher under the direction of the Apex Court in Contempt Case No. 297 of 2007. The appointment of the petitioner was subject to verification of legality and validity of the training and other certificate. On verification, the respondents found the selection of the petitioner defective as he was not holding the adequate training certificate.

The issue as to the validity of certificate after selection and appointment of 34540 Assistant Teachers was considered by the different benches of this court and finally LPA Court in LPA No. 1721 of 2017 held out that the order of Apex Court does not preclude the respondents in verifying the record and terminating the appointees if the training and other certificates are found to be inappropriate.

In view of the judgment of the Division Bench in LPA No. 1721 of 2017 dated 28.11.2017, the Court does not find any merit in the writ petition, the same is dismissed.

(Anil Kumar Upadhyay, J)

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