

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.1910 of 2015

In
Civil Writ Jurisdiction Case No.2091 of 2015

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1. Asha Kumari daughter of Birj Kishore resident of village - Saharkola, P.S. Basantpur, District - Siwan.
 2. Jamila Khatoon daughter of Md. Imam Hussain resident of village - Dewaria, P.S. Maharajganj, Dist. Siwan.
 3. Baby Kumari daughter of Ramayan Dubey resident of village - Rampati, P.S. Maharajganj, Dist. Siwan.
 4. Shiopati Kumari daughter of Baldeo Pandit resident of village - Bhatwalia, P.S. Janta Bazar, Dist. Siwan.
 5. Asma Khatoon Daughter of Dr. Wajid Khan resident of village - Dewaria, P.S. Maharajganj, Dist. Siwan.
 6. Neelam Kumari daughter of Heera Ram resident of village - Sakri, P.S. Maharajganj, Dist. Siwan.
 7. Kamal Kumari daughter of Chandrama Sah resident of village - Raipura, P.S. Garkha, Dist. Siwan.
 8. Renu Kumari daughter of Gautam Manjhi resident of village - Samardeh, P.S. Basantpur, Dist. Siwan.
 9. Raunak Azam son of Md. Kalam Ansari Resident of Primary Health Centre, Pachrukhi, Dist. Siwan.
 10. Musarrat Parween daughter of Md. Idris Ansari resident of village - Dewaria, P.S. Maharajganj, Dist. Siwan.
 11. Sunita Kumari daughter of Vijay Manjhi resident of village - Samardeh, P.S. Basantpur, Dist. Siwan.

... .. Appellant/s

Versus

1. The State Of Bihar through Principal Secretary, Department of Health, Govt. of Bihar, Patna
2. The Secretary Health cum Executive Director, Bihar State Health Committee, Bihar, Patna.
3. The District Magistrate cum President, District Health Committee, Siwan.
4. The Civil Surgeon Cum Member Secretary, District Health Committee, Siwan.
5. The Incharge Medical Officer, Primary Health Centre Maharajganj, District Siwan.
6. Incharge Medical Officer, Primary Health Centre Bhagwanpur, District Siwan.
7. Incharge Medical Officer, Primary Health Centre Basantpur, District Siwan.
8. Incharge Medical Officer, Primary Health Centre Siwan District Siwan.
9. Incharge Medical Officer, Primary Health Centre Jiradei District Siwan.



10. Incharge Medical Officer, Primary Health Centre Raghunathpur, District Siwan.
... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Md. Aslam Ansari
For the Respondent/s : Mr. Gautam Bose, AAG 8

CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
and
HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL JUDGMENT
(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)

Date : 03-04-2019

None appears on behalf of the appellant. Mr.
Ashok Dubey, learned AC to AAG 11 appears for the State.

This *intra-court* appeal arises from a judgment
and order of learned Single Judge of this Court passed in
C.W.J.C. No. 2091 of 2015, whereby the writ petition has
been dismissed.

We have heard learned counsel for the State and
we have perused the records which confirm that the
appointment of the eleven petitioners against the post of
Auxilliary Nurse Mid-wifery (hereinafter referred to as
'A.N.M.') was cancelled by the order impugned in the writ
petition because the qualification which was basis for their
appointment was found to be fake as confirmed by the
Nurses Registration Council.

In fact, on a query made on the qualification of
the petitioners alongwith others that the Registrar, Bihar



Nurses Registration Council has responded through letter dated 26.11.2015, a copy of which is enclosed vide Annexure-C to the counter affidavit filed in the writ proceedings and which confirms that the certificates produced by these petitioners to gain employment were found to be fake.

Though the appeal is filed, neither there is any rejoinder to the counter affidavit filed in the writ proceedings nor the appeal herein brings on record any material which would persuade this Court to interfere with the report of the Bihar Nurses Registration Council on the veracity of the documents of these petitioners.

In this view of the matter, we are not persuaded to interfere with the order passed by the learned Single Judge put to question before this Court.

The appeal is dismissed accordingly.

(Jyoti Saran, J)

(Arvind Srivastava, J)

mcv/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	14.04.2019
Transmission Date	NA

