

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Letters Patent Appeal No.936 of 2015**

Meera Kumari Wife of Shri Sanjay Kumar Mishra, Resident of Village-Sarari  
Belash Tola, P.O.-Sarari Belash Tola, P.S.-Goreakothi, District-Siwan.

... .. Appellant/s

Versus

1. The State Of Bihar
2. The District Magistrate, Siwan
3. The District Programme Officer, Siwan
4. The Bolck Education Officer, Siwan
5. Smt. Sita Devi, Wife of Sri Parshuram Mahto, Mukhiya of Gram Panchayat Raj, Dakhni Sarai, Goreakothi, Siwan
6. The Head Master Upgraded Middle School, Nonia Tola, Goreakothi, Siwan
7. Kumari Punam, Wife of Rajkumar, Resident of Village- Sarari, P.O.- Mustafabad, P.S.- Goreakothi, District- Siwan

... .. Respondent/s

**Appearance :**

For the Appellant/s : Mr. Ranjeet Kumar, Adv.  
For the Respondent/s : Mr. M.K. Sinha- SC-1

**CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN**  
**and**  
**HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

**(Per: HONOURABLE MR. JUSTICE JYOTI SARAN)**

16    21-01-2019                      Heard Mr. Ranjeet Kumar, learned counsel for the  
  
petitioner-appellant and Mr. Kamlesh Kishore, assisting counsel  
  
to SC-12.

This appeal arises from the judgment and order of the  
learned Single Judge dated 10.04.2015, passed in C.W.J.C. No.  
3588 of 2015 whereby the writ petition has dismissed.

Having heard learned counsel for the parties and  
having considered the reasons assigned by the learned Single  
Judge to dismiss the writ petition, we are not persuaded to grant



indulgence to the prayer made or to interfere with the order of the learned Single Judge for the following reasons:

(a) The nature of appointment was contractual and for a fixed period having taken place in 2012 and thus even if the appointee has continued for seven years by renewal of contract, it does not persuade us to interfere therewith.

(b) The appointment was on honorarium basis.

(c) Whereas the private respondent is a post-graduate, the appellant is matriculate and it is taking note of this relevant aspect that the learned Single Judge has decided the issue in her favour and has not chosen to interfere with the selection; and

(d) Even if the experience certificate was found wanting, that it has been submitted belatedly and is not doubted on its genuineness, a simply belated submission of such certificate by the private respondent would neither held a disqualification nor would be sufficient to interfere with the decision of the respondents.

The appeal is dismissed.

**(Jyoti Saran, J)**

**( Nilu Agrawal, J)**

devendra/-

|   |  |  |  |
|---|--|--|--|
| U |  |  |  |
|---|--|--|--|

