

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3719 of 2017

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Durga Das Bhandari Son of Subodh Chandra Bhandari, R/o Kahrabandh, P.S.
Banka, Distt. - Banka

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Banka
3. The District Education Officer, Banka
4. The District Programme officer Establishment , Banka
5. The Headmaster Middle School Darshaniya, P.S. Banka, Distt. - Banka
6. Sri Durga Das Bhandari, Assistant Teacher, Middle School Darshaniya,
Circle Belhar, P.S. Banka, Dis

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjiva Kumar Singh, Advocate

For the Respondent/s : Mr. Jitendra Kumar Roy No-1, S.C. 13

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 30-07-2019 Heard learned counsel for the petitioner and learned
counsel appearing for the respondent State.

The grievance of the petitioner in the present writ application is that due to connivance of the respondent authorities instead of petitioner, other person in the name of the petitioner was allowed to join on the post of Assistant Teacher in Middle School Darshaniya, Banka. On the complaint made by the petitioner, the matter was enquired and thereafter the person impersonating the petitioner was removed. Order to that effect has been placed on record by way of Annexure 'A'.

Learned counsel for the petitioner would submit that



once the respondents have accepted the objection of the petitioner that in place of this petitioner somebody is continuing in his job impersonating the petitioner and action was taken, then the respondents were obliged to adopt corrective measures and appoint the petitioner who was entitled to appointment on the post of Assistant Teacher in terms of his position in the merit list.

In view of Annexure 'F', dated 29.11.2016, the writ petition is disposed of with a direction to the District Education Officer, Banka to take appropriate decision in the matter of claim of the petitioner and if on verification it transpired that the petitioner is real Durga Das Bhandari, he should be offered appointment as Assistant Teacher, as the petitioner cannot be made to suffer for the lapses of the respondents in allowing fraudulent and forged person to take the benefit of impersonation of the petitioner. Necessary corrective measure may be taken by the respondent District Education Officer, Banka within a period of 60 days from the date of receipt/production of a copy of this order.

With the aforesaid, the present writ application stands disposed of.

(Anil Kumar Upadhyay, J)

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