

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19833 of 2018

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Sanjay Kumar S/o Kishori Mandal R/o Vill-Hakpara, P.O.-Nand Lali, P.S.-
Saharsa, Dist-Saharsa

... .. Petitioner

Versus

1. The State Of Bihar
2. The Director, Primary Education Directorate, Bihar, Patna
3. The District Education Officer, Supaul
4. The District Programme Officer Estt., Supaul
5. The Block Education Officer, Kishanpur, Supaul
6. The Mukhiya, Gram Panchayat Raj, Kishanpur South, District-Supaul
7. The Panchayat Secretary, Gram Panchayat Raj, Kishanpur South, District-Supaul
8. The Member District Teacher Appellate Authority, Supaul
9. The State Appellate Authority, Niyojan Bhawan, Bailey Road, Patna through its Secretary
10. Basant Kumar S/o Late Maheshwar Mandal R/o At and P.O. Kaushlipatti, P.S.-Pipra, District-Supaul

... .. Respondents

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh
For the Respondent/s : Mr.Jitendra Kumar Roy 1 -Sc13

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 22-11-2021 The respondent no. 10 was though appointed as

a Panchayat Teacher but when it was found that his degree

was forged, necessary enquiry was made regarding the

same.

The District Teacher Employment Appellate

Authority, Supaul found that the respondent no. 10 was not



entitled to be appointed and, therefore, validated the appointment of the petitioner on such post on which he was appointed after the appointment of the respondent no. 10 was annulled.

The petitioner hails from B.C. category and was second in the merit list.

The respondent no. 10 challenged the aforesaid order of the District Teacher Employment Appellate Authority, Supaul before this Court and under the orders of this Court, before the State Appellate Authority which ultimately declared the certificate of the respondent no. 10 to be genuine and directed the authorities to reinstate him in service.

Hence, this writ petition.

Mr. Rajeev Kumar Singh, the learned Advocate for the petitioner has relied upon the statement made in the counter affidavit of the District Education Officer, Supaul wherein, it has been categorically averred that the certificate of the respondent no. 10 is absolutely forged and fake and the State Appellate Authority perhaps was not apprised of



the correct fact situation.

Even though the respondent no. 10 has entered his appearance through a lawyer but there is nobody present today to contest this petition on his behalf.

The learned counsel for the petitioner has not brought on record the order passed by the District Teacher Employment Appellate Authority.

Let that order be brought on record by the next date.

The counsel for the petitioner is further asked by this Court to inform the counsel for the respondent no. 10 to be present in the court on the next date fixed for contesting this matter, failing which the petition would have to be adjudicated *ex-parte*.

Re-notify this case on 29.11.2021.

(Ashutosh Kumar, J)

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