

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2768 of 2023

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Ajaz Ahmad S/o Md. Hashmud din @ Md. Hashmudin Parmanent resident of Village- Dihi Dhabelwa, P.O.- Joralpur, P.S.- Yogapatti, District- West Champaran, Present resident of Village- Gurwalia Biwas, Ward No. 07, P.S.- Manuapul, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Govt. of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The District Magistrate, West Champaran at Bettiah.
4. The District Education Officer, West Champaran at Bettiah.
5. Md. Azizul Haque, S/o Md. Hashinuddin @ Md. Hashmudin Resident of Village- Dihi Dhabelwa, P.O.- Jaralpur, P.S.- Yogapatti, District- West Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate
For the Respondent/s	:	Mr. Kameshwar Kumar (GP-17)
	:	Mr. S.K. Ranjan, Ac to Gp- 17

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-12-2023 The petitioner has filed the present writ application challenging the appointment of respondent no. 5 on compassionate ground as a teacher after the death of his father in 2011. His contention is that respondent no. 5 is the younger son of the deceased employee and has submitted the false No Objection Certificate of the petitioner. Petitioner is elder brother of the Respondent no. 5.

2. Learned counsel for the State submits that the petitioner has approached this Court challenging the appointment of respondent no. 5 after lapse of about 12 years.



The respondent no. 5 is admittedly the son of the deceased employee. The validity of the No Objection Certificate submitted by respondent no. 5 cannot be tested in the writ jurisdiction.

3. If petitioner has any grievance, he may file Suit in this regard.

4. Having heard learned counsel for the parties and taking into consideration the fact that petitioner has approached this Court after lapse of 12 years, as such, this writ application is dismissed on the ground of delay and laches.

(Anil Kumar Sinha, J)

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