

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3827 of 2018

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Logendra Roy Son of Khoka Roy, Resident of Village- Banabari, P.S.
Balrampur, District- Katihar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Chairman, Bihar Mahadalit Development Mission, Budh Marg, Patna.
3. The Director, Mission, Bihar Mahadalit Vikash Mission, Bihar, Patna.
4. The District Welfare Officer, Katihar.
5. The Sub Divisional Welfare Officer, Barsoi, Katihar. null null
6. The Block Development Officer, Balrampur, Barsoi, Katihar.
7. Adesh Roy, Son of Late Satau Roy, Resident of Pelapur Rajol, Shahpur, P.S.
Balrampur, Barsoi, Katihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Md. Musowir, Advocate
For the State	:	Mr.Prashant Pratap- G.P-2
For the Respondent No.7:	:	Md. Ziaul Quaman, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 22-09-2023 Heard the parties.

2. The petitioner who got certificate from Bihar School Examination Board was pipped to the post by the respondent no. 7 on the basis of a certificate which was issued to him by Hindi Vidyapith, Deoghar (Jharkhand).

3. He challenged that the same submitting that the certificate is not recognized by the State Government and the same are only for promotion of Hindi which cannot be equated with the Bihar School Examination Board certificates.



4. A counter affidavit has been filed on behalf of respondent nos. 4 to 6 stating therein that earlier the State Government has considered the result of Hindi Vidyapith, Deoghar (Jharkhand) equivalent to matriculation and only vide circular no. 5267 dated 08.04.2016 issued by the General Administration Department, Bihar Patna, it has been notified that pursuant to the order of the Patna High Court in CWJC No. 1442 of 20122 passed on 07.05.2012, the certificate issued by the Hindi Vidyapith, Deoghar (Jharkhand) after 07.05.2012 will not be taken into consideration but those prior to the said date will be considered as valid document (Annexure-A to the counter affidavit).

5. There is no rejoinder to the said reply.

6. A perusal of the Hindi Vidyapith (Jharkhand) certificate/mark sheet of the respondent no. 4 shows that it was issued in the year 2004.

7. Learned counsel for the petitioner submits that even the said certificate may be a forged one and it is not the case of the State Government that the same was inquired into and has been affirmed by the Hindi Vidyapith, Deoghar (Jharkhand).

8. Though the Court cannot extend any benefit to the petitioner despite the fact that he passed out from the prestigious



Bihar School Examination Board, comparison to Hindi Vidyapith, Deoghar (Jharkhand) respondent no. 7 as the same has been passed in the year 2004, a valid point has been raised by the petitioner that the certificate/mark sheet so issued to the respondent no. 7 need confirmation from the Hindi Vidyapith, Deoghar (Jharkhand),

9. Respondent no. 7, who is represented by his lawyer do not have any objection to that.

10. In that view of the matter, though no relief is granted to the petitioner, direction is given to the District Magistrate, Katihar to enquire and get the mark sheet of the respondent no. 7, Adesh Roy (Annexure-3) examined/verified from the Hindi Vidyapith, Deoghar (Jharkhand), if possible through a messenger to and come to its satisfaction whether the certificate no. N896 dated 22.03.2011 is genuine or not.

11. The petitioner will be filing a representation in this regard within four weeks from today on this limited point of verification of certificate. If the same is filed, necessary enquiry shall be done and an order be passed after verification of the certificate and if the same is found forged, after hearing the respondent no. 7 within a period of four months from the date of receipt of representation,



12. The writ petition stands disposed of with the
aforesaid observations.

(Rajiv Roy, J)

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