

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1766 of 2018

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Nandu Prasad Gupta S/o Late Shivarat Sao, R/o Village- Jakhim, P.S.-
Rafiganj, District- Aurangabad Bihar.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Secretary, Higher Education, Government of Bihar, Patna.
2. The Director Higher Education, New Secretariat, Bihar, Patna.
3. The Regional Dy. Director, Department of Education, Magadh Range, Gaya.
4. The District Education Officer, Aurangabad Bihar.
5. The Headmaster, High School, Siris, Aurangabad Bihar.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Respondent/s : Mr. S.C.Mishra -SC-16

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

6 02-01-2023

1. Heard the parties.

2. The petitioner by way of this writ petition challenges the order dated 31.12.1996, whereby he was removed from the post of clerk.

3. Learned counsel for the petitioner submits that apart from him, no other person was removed from the post and all are working as Clerk, who were appointed under the signature of Ram Yatan Paswan. It appears that there seems to be some scam, whereby people were appointed wrongfully on different post by one person and directions were issued by the Director to remove such illegally appointed persons. Apart from



the fact that the writ petition has been filed after a period of almost 22 years, this Court finds that the appointment made to the petitioner was without conducting regular selection and in an illegal manner.

4. Keeping in view thereto, the petitioner cannot claim discrimination, as even others were appointed wrongfully.

5. The writ petition is found to be therefore wholly misconceived, dismissed on the ground of laches, delay as well as on merits.

(Sanjeev Prakash Sharma, J)

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Item no.60

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