

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Letters Patent Appeal No.613 of 2022**

**In**

**Civil Writ Jurisdiction Case No.4868 of 2021**

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Deepak Ranjan Son of Dharendra Kumar Chaudhary, resident of Village-  
Piparpanti, P.O.- Keota, P.S.- Dalsingsarai, District- Samastipur.

... .. Appellant/s

Versus

1. The Bihar Sanskrit Shiksha Board, Patna through its Secretary.
2. The Secretary, Bihar Sanskrit Shiksha Board, Patna.
3. The Headmaster, Bharti Sanskrit High School, Basti, Mohiuddin Nagar,  
District- Samastipur.

... .. Respondent/s

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**Appearance :**

For the Appellant/s : Mr.Sushil Kumar Jha, Advocate  
For the Respondent/s : Mr.Satyam Shivam Sundaram, Advocate

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**CORAM: HONOURABLE THE CHIEF JUSTICE**

**and**

**HONOURABLE MR. JUSTICE PARTHA SARTHY**

**ORAL JUDGMENT**

**(Per: HONOURABLE THE CHIEF JUSTICE)**

**Date : 20-08-2024**

The appellant has claimed regularisation on the basis of documents, which indicates that he was working in the Bihar Sanskrit Shiksha Board, Patna (for brevity 'Board') and had also participated in the election processes at different polling booths.

2. The learned Single Judge found that with respect to his initial appointment, there was no public advertisement. There was also no document produced to show that there was a valid selection process conducted. A hand written advertisement was produced and there was a list produced wherein there were



names, of which the first was the appellant. These were all found to be not authenticated documents. The mere fact that the appellant had worked in certain election processes at different polling stations; where the teachers are deputed for such elections, would not create a right in him for regularisation, was the finding of the learned Single Judge.

3. The appellant has pointed out Annexure-8 series by which the Board itself had deputed him for evaluation of some answer sheets, but this does not cure the defect pointed out by the learned Single Judge as to the original appointment having not been made after a fair procedure followed, also calling for applications from the general public. The learned Single Judge has clearly found that the petitioner's appointment was a clear case of backdoor entry and the Secretary of the School had *suo motu* issued advertisement to fill up the post, which advertisement was also not widely publicised. The post was also not sanctioned by the Board and the selection was carried out without assigning any *inter se* merit.

4. The mere fact that the appellant had participated in some election processes and the Board had deputed him for some evaluation work, would not regularise his appointment which was made initially through the backdoor.



5. We find absolutely no reason to interfere with the judgment of the learned Single Judge. The appeal stands dismissed.

6. Interlocutory application, if any, shall also stand closed.

**(K. Vinod Chandran, CJ)**

**( Partha Sarthy, J)**

Sujit/-

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