

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.1429 of 2025

Abul Khair S/o Abul Kalam, resident of Near Masjid Belal, Belahiya, P.S Bajpatti, District - Sitamarhi, at present residing at Welcome Mobile Centre, Pupri Bazar, Pupri, P.S- Pupari, District - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the District Magistrate Darbhanga, District- Darbhanga.
2. The Principal Secretary, Department of Education, Bihar at Patna.
3. The Regional Deputy Director of Education Madhubani Division, District - Madhubani.
4. The District Education Officer, Madhubani, District- Madhubani.
5. The Block Development Officer, Bispi, District- Madhubani.
6. The Block Education Officer, Bispi, District- Madhubani.
7. The Head Master, Government Primary School, Dhamaul Chahuta, P.S. - Bispi, District - Madhubani.
8. Md Waseem Haidar, S/o Md Haidar Ali, resident of village and Post - Umgaon, P.S. - Harlakhi, District - Madhubani, as well as, C/o Md. Samaruddin of Village - Nazra, P.O. - Meghwan, P.S. - Benipatti, District- Madhubani, presently working as Panchayat Teacher, in Government Primary School, Dhamaul Chahuta, Under Gram Panchayat Raj Dhamaul Chahuta, P.S. Bispi, District- Madhubani.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Krishna Prabhat
For the Respondent/s : Mr. Vivek Prasad, GP-7

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 31-07-2025 1. Heard learned counsel for the petitioner and learned AC to GP-7 for the State.
2. From perusal of the prayer made in the writ application, it appears that the petitioner does not have any locus to assail the validity of the appointment of the respondent no. 8.



3. The writ application is more in nature of an extortion.

4. The learned counsel appearing on behalf of the petitioner submits that petitioner is a co-villager of respondent no. 8 and respondent no. 8, based on forged and fabricated certificate, has sought appointment.

5. On query of the Court that since when respondent no. 8 is working, the learned counsel appearing on behalf of the petitioner submits that respondent no. 8 is working since 2015, as such another query was made to the learned counsel appearing on behalf of the petitioner that when respondent no. 8 is working since 2015, why it took ten years for the petitioner to approach this Court for seeking the relief as prayed in the instant writ application, on which the learned counsel appearing on behalf of the petitioner submits that it was only in the year 2025 that the petitioner came to know about the said forgery committed by the respondent no. 8 in seeking the appointment.

6. The Court is not satisfied with the submissions made by the learned counsel appearing on behalf of the petitioner, because it has not been pleaded in the writ application that the petitioner despite being co-villager was not aware for more than ten years that respondent no. 8 is working



on a forged and fabricated certificate. It appears to the Court that petitioner was extorting the respondent no. 8 for all these years and when respondent no. 8 stopped greasing the palm of the petitioner, the instant writ application came to be filed despite petitioner having no locus to challenge the appointment of the respondent no. 8, who has been appointed as Panchayat Teacher in Government Primary School, Dhamaul Chahuta, P.S.- Bispi, District-Madhubani.

7. At this stage, the learned counsel appearing on behalf of the State submits that a counter affidavit has been filed on behalf of the District Education Officer, Madhubani wherein the issue of maintainability of the writ application has been raised on the ground that the petitioner has failed to disclose his identity, nor has explained how he has been adversely affected by the selection of respondent no. 8 as Panchayat Teacher, but then it is also submitted that since a complaint was made with regard to the appointment of the respondent no. 8, as such, an inquiry was made and the inquiry report was forwarded to the Employment Unit of the respondent no. 8 which is the authority competent for initiating proceeding for taking appropriate action, as such, the Employment Unit of the respondent no. 8 has been communicated about the inquiry report by Letter dated



21.06.2025 issued by the District Programme Officer (Establishment), Madhubani (Annexure- D).

8. The learned State counsel next submits that from perusal of the letter dated 21.06.2025 (Annexure-D), it would manifest that respondent no. 8 has been suspended in contemplation of a departmental proceeding.

9. Be that as it may, the Court is not inclined to proceed any further with the writ application, as the same has been filed by the petitioner who has no locus to maintain the writ application, but then the authorities are not precluded to proceed against the respondent no. 8 in accordance with law.

10. The writ application is dismissed.

(Satyavrat Verma, J)

Rishabh/-

U			
---	--	--	--

