

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13792 of 2025

=====

Vikash Kumar S/o Mahendra Prasad, R/o- Vill- Ward No. 12, Awrahiya Parsa,
Bagaha, P.s.- Bagaha, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Education Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Education Department, Government of Bihar, Patna.
3. The District Magistrate, West Champaran, Bettiah.
4. The District Education Officer, West Champaran, Bettiah.
5. The District Education Officer, West Champaran, Bettiah.
6. The District Programme Officer (Establishment), West Champaran, Bettiah.
7. The District Public Grievance Redressal Officer, West Champaran, Bettiah.
8. The Panchayat Secretary, Bhaisahin, Paddar Khaap, Block- Bagha, District- West Champaran.
9. Brij Kishore Yadav, S/O- Rajendra Yadav, R/o Vill- Mundila, Block- Ramnagar, Distt.- West Champaran.
10. Harihar Yadav, S/o- Jungle Yadav, R/o- Vill- Mundila, Block- Ramnagar, Distt.- West Champaran.

... .. Respondent/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ranjan Kumar Srivastava, Advocate Mr. Shashwat Srivastava, Advocate
For the Respondent/s	:	Government Pleader (20)

=====

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 01-09-2025 Heard learned counsel for the petitioner and
learned GP-20 for the State.

2. The instant writ application has been filed for the
following reliefs:-

*(i) For directing the respondents to cancel the
appointment of private respondent nos.9 and 10,
who have been appointed against an incorrect*



roster and on the basis of forged certificates, despite the petitioner being eligible as per the applicable roster, but not being appointed as Panchayat Teacher, Gram Panchayat Raj Bhaisahin, Paddar Khaap, Block-Bagaha, West Champaran. In this regard, the petitioner submitted representations on 16.08.2024 and 14.10.2024, which has not been considered till date.

(ii) For directing the respondents to appoint the petitioner on the post of Panchayat Teacher, Gram Panchayat Raj Bhaisahin, Paddar Khaap, Block-Bagaha, West Champaran.

(iii) To call for the original record relating to second phase appointment of Panchayat Teacher, Gram Panchayat Raj Bhaisahin, Paddar Khaap, Block-Bagaha, West Chamaparan.

(iv) For any other relief(s) to which the petitioner is found entitled to in the facts and circumstances of the case.

3. It is the case of the petitioner that respondent nos.9 and 10, who have been impleaded as party respondents in the instant case, have been given appointment on a post which, as per the applicable roster, ought not to have been extended in their favour. The said post is said to have been reserved for the EBC category and the petitioner belongs to the EBC category. It



is next submitted on behalf of the petitioner that the respondent nos.9 and 10 secured appointment on the basis of forged certificates. For buttressing his argument, learned counsel for the petitioner has drawn the attention of this Court to Annexure-P/3 of the writ application, by referring to an office order which goes to show that the experience certificate, submitted by the respondent nos.9 and 10 for the purpose of claiming weightage to the extent of 20 marks under Informal Education Programme, was cancelled vide memo no.623 dated 04.02.2011. If this factual position is undisputed, in such event, the matter seems very serious and requires consideration. The respondents themselves have framed a policy for grant of weightage on the basis of the experience certificate to be valid under the provisions of law, which has to be considered for granting appointment as Panchayat Teacher. Such a conflicting stand and factual position requires adjudication and deserves to be corrected after affording proper hearing to the respondent nos.9 and 10. It has been contended that the petitioner has already represented before the District Magistrate, West Champaran, Bettiah and the District Education Officer, West Champaran, Bettiah but no action till date has been taken.

4. In view of the aforesaid, the District Magistrate,



West Champaran and the District Education Officer, West Champaran are directed to take immediate action upon the representation which is said to have been filed, wherein it has been alleged that a person with an invalid experience certificate is said to have been appointed under EBC category, to which the petitioner is entitled in law.

5. Considering the aforesaid, it is made clear that the entire exercise must be completed within a period of six weeks from the date of production/receipt of the a copy of this order. Before passing any order or adjudicating the issues, which is supposed to be initiated at the instance of the representation of the petitioner, proper hearing should be given to the parties concerned. The entire exercise must be completed within the stipulated period and the decision so taken shall be duly communicated to the parties.

6. With the aforesaid direction and observation, the instant application stands disposed of.

(Ajit Kumar, J)

shikha/-

U			
---	--	--	--

