

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9036 of 2018

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Pawan Kumar Yadav @ Pawan Kumar son of Shyamdev Yadav, resident of
Village- Amari, P.S. Khaira, District- Jamui.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Chief Secretary, Bihar, Patna.
2. The Principal Secretary, General Administration Department, Bihar, Patna.
3. The Principal Secretary, Human Resources Development Department, Bihar, Patna.
4. The Director Mass Education, Bihar, Patna.
5. The District Magistrate, Jamui.
6. The District Education Officer, Jamui.
7. The Zila Janshiksha Padadhikari D.P.O. Sahakshatra, Jamui.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Sinha, Advocate
For the State	:	Mr. Jai Prabhat Kishore (AC to SC-13)

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

6 13-02-2025 Heard Learned Counsel for the petitioner and Learned
Counsel for the State.

2. The present writ petition has been filed for the
following relief/s:-

“1. For quashing the impugned decision dated 30.1.2017 of four men committee headed by the District Education Officer, Jamui So far as petitioner is concerned at Sl. No.231 in Proposal No. 3 whereby and whereunder the candidature of the petitioner for absorption on sanctioned post of Class-



III or Class IV in the light of order passed by this Hon'ble Court in C.W.J.C. No. 8011/ 2014 dated 31.3.2016 as well as in the light of order passed by the Hon'ble Apex Court in S.L.A. No. (c) No. 32079/ 2011 dated 26.2.16 as such the impugned decision of the four men committee is not sustainable in the eye of law which fit to be quashed.

II. Further after quashing the impugned order the respondent may be directed to absorb to the petitioner on appropriate post or to consider her case as fresh.

III. To grant any other relief to the petitioner which the petitioner may be found entitled to get in the eye of law.”

3. Learned Counsel for the petitioner submits that petitioner has worked as Instructor for a period more than 3 years, but his case has not been considered/wrongly been considered by the Four Men Committee. Counsel submits that he has annexed Annexure-1 in which name of petitioner has been figured at Sr. No.231 from which it has come that he has worked from 01.08.1996 to 31.03.1998. Counsel further submits that after filing of the counter affidavit, he has filed rejoinder to the counter affidavit and from the said rejoinder, petitioner has



annexed Annexure-P/4 in which it has been shown that he has worked from 27.07.1996 to 31.03.2000.

4. Learned Counsel for the State submits that Annexure-P/4 is not the authentic document because it has not been signed by any authority and it is merely a chart written by hand on which no reliance can be made. Therefore, no decision could be made in the light of Annexure-P/4. Counsel further submits that from Annexure-1 in which petitioner's name has already been considered by Four Men Committee, it has been found that he has not completed three years.

5. In the light of the submissions made by the parties, there are two documents before this Court and both documents have been annexed by the petitioner himself. The first document is the document produced by the petitioner of Four Men Committee, where he has been found that he has not completed three years, whereas, another document which has been filed by him in petition as Annexure-P/4 is a tabular chart which is hand written but contains no signature of any authority in which the petitioner's work period has been shown from 27.07.1996 to 31.03.2000.

6. In this background, this Court at this juncture could not reached on a conclusion that the hand written document



which has no signature of any authority could be the vaild one or not. On the other hand, Annexure-1 has been signed by the Four Men Committee. Hence, this Court is not inclined to grant any relief to the petitioner, but liberty is hereby granted that petitioner if, obtained the entire documents on which he is relying i.e. Annexure-P/4 under Right To Information (R.T.I.) or any other authentic means, then only in that case, his case may be considered, but not at this juncture.

7. Accordingly, this writ petition is hereby disposed off.

(Dr. Anshuman, J)

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