

(2003) 01 PAT CK 0038
In the Patna High Court
Case No : L.P.A. No. 1289 of 2002

Upendra Kumar @ Upendra Kumar Singh	APPELLANT
Vs	
The State of Bihar and Others	RESPONDENT

Date of Decision : 16-01-2003

Acts Referred:

Citation : (2003) 1 PLJR 657

Hon'ble Judges : Ravi S. Dhavan, C.J.;Rajendra Prasad, J

Bench : Division Bench

Advocate : Anshuman, for the Appellant;

Final Decision : Dismissed

Judgement

1. The appeal is barred by limitation notwithstanding the Court has heard learned Counsel for the Petitioner.
2. The manner in which the appointment of the Petitioner was made justifies the order of termination. It is accepted by the Petitioner that (a) appointment was not made in terms of the guidelines issued by the department of Personnel and Administrative Reforms as a public advertisement had not been issued, (b) the appointments were made without calling for any name from the employment exchange and (c) the appointments were not made from the District Standard Sub-Committee guideline prescribed by the education department of the State.
3. On behalf of the Petitioner, it was contended on the writ petition that this circumstance may at best be treated as an irregularity and not an illegality. This seems to be a novel argument as these are the circumstances which go in the making of what is known in the State as "Naukari scam".
4. The Court is not inclined to interfere with the order of the learned Judge on the writ petition.
5. Dismissed.