

19

Annexure-1/3

Certified to the true copy  
M. P. Singh  
Assistant Registrar (Judl.)  
Supreme Court of India

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ITEM NO. 202

COURT NO. 10

SECTION XVI  
948669

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Civil) No(s).23898/2003

(From the judgement and order dated 26/08/2003 in LPA No. 729/2003 of The HIGH COURT OF PATNA)

ASHOK KUMAR

Petitioner(s)

VERSUS

STATE OF BIHAR AND ORS..

Respondent(s)

(With appln(s) for permission to place addl. documents on record and exemption from filing O.T. and with prayer for interim relief)  
(FOR FINAL DISPOSAL)

WITH

SIA(S) NO. 23246 of 2003

(With appln. (s) for exemption from filing O.T. and with prayer for interim relief)  
(FOR FINAL DISPOSAL)

Date: 10/03/2006 This Petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.N. SRIKRISHNA  
HON'BLE MR. JUSTICE TARUN CHATTERJEE

For Petitioner(s)

Mr. B.V. Deepak, Adv.  
Mr. Dilip Pillai, Adv.  
Mr. M. Vijaya Bhaskar, Adv.

Mr. Sudarsh Menon, Adv.  
Mr. Ramesh Sharma, Adv.  
Mr. Mahesh Singh, Adv.  
Mr. Raj Nathan, Adv.  
Mr. M.P. Singh, Adv.

For Respondent(s)

Mr. Lakshmi Raman Singh, Adv.  
Mr. Vivek Singh, Adv.  
Mr. Gopal Singh, Adv.

UPON hearing counsel the Court made the following  
O R D E R

SLP (C) No. 23898 of 2003

Annexure P.3 annexed to this Petition had the following  
clauses:

"4. The Certificate of District Magistrate is acceptable for claiming the benefit of reservation in appointment in govt. services."

It indicates that the certificate from District Magistrate was acceptable. After the notice was issued, the Respondent appeared before us and produced Annexure R.1 in his counter statement, which is the same document dated 6<sup>th</sup> May, 1955 issued by the Personnel & Administrative Reforms Department, Government of Bihar in which paragraph 4 reads as under:-

"For claiming the benefit of reservation in appointments in Govt. Service, only caste certificates issued by the District Magistrate alone is admissible/valid."

In these circumstances, we are of the view that notice appears to have been issued only because of a wrong document produced by the Petitioner. Irrespective of any other consideration, the Petition must fail on this ground alone. Hence, the Special Leave Petition is dismissed.

SLP (C) No. 23946/2003.

Heard.

We see no merit in the special leave petition.

The special leave petition is dismissed.

(K.K. Chawla)  
Court Master

(Rachha R. Bhatia)  
Court Master