

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24118 of 2013

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Ram Kumar Singh S/O Sri Raj Narayan Singh Resident Of Village Balia,
P.S- Andar, District- Siwan.

.... Petitioner

Versus

1. The State Of Bihar Through The Principal Secretary, Education Department, Govt. Of Bihar, Patna.
2. The Director, Primary Education, Education Department, Govt. Of Bihar, Patna.
3. The District Magistrate, Siwan.
4. The District Education Officer, Siwan.
5. The District Programme Officer (Establishment), Siwan.
6. The Block Education Officer, Siwan Sadar, Siwan.
7. Block Development Officer, Andar, Siwan
8. The Mukhia, Sri Badshah Singh S/O Late Vikram Singh Gram Panchayat Raj Balia, P.S- Andar, District- Siwan
9. The Pachayat Secretary, Gram Panchayat Raj, Balia, P.S- Andar, District- Siwan.
10. Sri Munni Kumari W/O Sanjay Singh And D/O Parasnath Singh Residing At Gram Panchayat Raj Balia, P.S- Andar, District- Siwan
11. Salauddin Ansari S/O Tafari Ansari Residing At Gram Panchayat Raj, Balia, P.S- Andar, District- Siwan.

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ranjeet kumar, Advocate
Mr. Kundan Kumar, Advocate
For the Respondent/s : Mr. Sanjay Kumar, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

4 23-08-2016 Heard the counsel for the petitioner and AC to GP-23

for the State.

A counter affidavit is filed on behalf of the respondent
no.5.

Claiming himself as the social activist, the present
writ application is filed for a direction upon the respondents to



ensure compliance of the order of the District Programme officer (Establishment) as well as the District Magistrate and take steps for taking appropriate action including termination of service of the respondent nos.10 and 11 who are stated to have obtained employment by producing fake educational certificate(s) and fake marks sheet(s). On a petition filed in this regard, respondent-District Magistrate took the cognizance and the matter was directed to be inquired into. It is stated that the District Programme Officer (Establishment) later made inquiry into the charges against the respondent nos.10 and 11. As the respondents have not proceeded further in the matter, the present writ petition is filed for the aforesaid direction.

In the counter affidavit of respondent no.5 (District Programme Officer, Siwan), it is stated that under the order dated 12.10.2013 passed by the respondent-District Magistrate, explanations have been sought from the BDO and the Block Education Officer for not taking proper steps in the matter against the private respondents. In para-9 thereof, it has further been stated that required action against the private respondent has been initiated inasmuch as steps have already been taken to remove them from service in the light of the order of the District Programme Officer.

Having heard the parties and on perusal of materials on record, it is evident that the respondents have initiated inquiry into the alleged illegal appointments of the private respondent(s) as Prakhanda Teachers. If the inquiry initiated against the private respondents is not brought to its logical conclusion, it shall be open to the petitioner to approach the District Programme Officer as well as the District Magistrate for taking needful steps in the matter. Once such an application is filed before either of those two respondents, it is expected these respondent(s) will examine the same and take remedial steps as required of him/them in accordance with law.

The writ application is disposed of.

(Kishore Kumar Mandal, J.)

ravi/-

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