

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No. 3148 of 2017

- =====
1. Neelam Kumari, daughter of Indrasen Prasad, wife of Lal Kumar Babu.
 2. Renu Kumari, daughter of Indrasen Prasad, wife of Late Birendra Kumar, Both resident of Village- Giriyak, P.S.- Giriyak, District- Nalanda.
 3. Manoranjan Kumar, Son of Srikant Singh, resident of Village- Oharia, P.S.- Nawada Town, District- Nawada.
 4. Sanjiv Nayan, Son of Sitaram Prasad Singh, resident of Village- Kajur, P.S.- Atari, District- Gaya.
 5. Pramod Rangrajan, Son of Ramadhin Prasad, resident of Village- Bhagwanpur (Narhar Bigha), P.S.- Nalanda Sadar, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector, Nalanda.
3. The District Education Officer, Nalanda.
4. The District Programme Officer (Establishment), Nalanda.
5. The Panchayat Secretary (Sachiv), Gram Panchayat Raj Adampur, Block- Giriyak, District- Nalanda.
6. The Mukhiya, Gram Panchayat, Raj Adampur, Block- Giriyak, District- Nalanda.

.... Respondent/s

With

=====

Civil Writ Jurisdiction Case No. 3356 of 2017

=====

Chandu Kumari, Wife of Hari Narayan Prasad, D/o Hari Narayan Singh, resident of Village- Mahkar Bigha, P.S.- Chandi, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. The District Magistrate-cum-Collector, Nalanda.
3. The District Education Officer, Nalanda.
4. The District Programme Officer (Establishment), Nalanda.
5. The Panchayat Secretary (Sachiv)-cum-Member Secretary, Panchayat Niyojan Sammittee Gram Panchayat Raj Pokharpur, Giriyak, District- Nalanda.
6. The Mukhia, Gram Panchayat Raj Pokharpur, Giriyak, District- Nalanda.
7. The Headmaster, Shobnagar Primary School, Giriyak, District- Nalanda.

.... Respondent/s

=====

Appearance :

(In CWJC No.3148 of 2017)

For the Petitioner/s	:	Mr. Jagannath Singh and Mr. Pramod Kumar, Advocates
For the State	:	Mr.

(In CWJC No.3356 of 2017)



For the Petitioner/s : Mr. Jagannath Singh and
Mr. Pramod Kumar, Advocates
For the State : Mr. Vivek Anand Amritesh, A.C. to S.C. 28
For the Vigilance : Mr. Ramakant Sharma, Sr. Advocate
Mr. Amresh Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 18-08-2017

Heard learned counsel for the petitioners, State and Mr. Ramakant Sharma, learned senior counsel for the Vigilance.

2. By order dated 25.07.2017, the Court had entrusted the Inspector General, Vigilance Investigation Bureau to conduct an enquiry and submit a report to the Court as to whether the orders purportedly passed by the District Teachers Employment Appellate Authority, Nalanda (hereinafter referred to as the 'Authority'), and whose implementation was sought in these writ petitions, were genuine. A joint report has been submitted in which, with regard to order in C.W.J.C. No. 3148 of 2017, it has been found that the order dated 26.04.2016 in Appeal No. 28 of 2016, was forged and fabricated whereas with regard to the order in C.W.J.C. No. 3356 of 2017, the finding is that the Authority has been misled by the concerned Panchayat Secretary and the petitioner in obtaining the order dated 30.06.2016 in Appeal No. 01 of 2016.

3. In view of such finding in the enquiry, it is apparent that fraud has been committed and thus, the petitioners are not entitled to any relief from this Court and accordingly, the writ



petitions stand dismissed with cost of Rs. 25,000/- against each petitioner individually, to be deposited with the Bihar State Legal Services Authority within one month from today and receipt filed within one week thereafter, failing which Registry shall place the matter before the Bench for appropriate orders.

4. The Court also takes a serious view of the fact that forged, fabricated and fraudulently procured documents have been brought on record in Court proceedings on oath, relying on which a favorable order/relief was sought from the Court. This would also amount to perjury in Court proceedings.

5. However, taking an overall view in the matter, let the Vigilance Investigation Bureau institute a formal proceeding against the petitioners as well as all such persons who may be involved in such act. The same be done within two weeks from today and the exercise taken to its logical conclusion expeditiously. The report submitted by the Inspector General, Vigilance Investigation Bureau, Bihar, Patna be again sealed and kept with the records of these cases.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
U	

