

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.15171 of 2016**

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1. Manoj Kumar Sah Son of Sri Ram Prasad Sah, Resident of Village- Vishambharpur, P.S.- Majhauriya, District- West Champaran.
  2. Abhay Kumar Son of Sri Ramashray Prasad, Resident of Village- Vishunpurwa, P.S.- Sugauli, District- East Champaran.
  3. Rameshwar Ram Son of Sri Thakur Ram, Resident of Village- Pakariya, P.S.- Harsiddhi, District- East Champaran.
  4. Ravi Ranjan Kumar Bharti @ Ravi Ranjan Bharti, Son of Sri Kapildeo Baitha, Resident of Village- Sugaon Kothi, P.S.- Sugauli, District- East Champaran.
  5. Om Prakash Sharma Son of Sri Lahwar Sharma, Resident of Village- Pakariya, P.S.- Harsiddhi, District- East Champaran.
  6. Santosh Kumar Son of Sri Bhuwan Sah, Resident of Village- Khartari, P.S.- Chiraiya, District- East Champaran.
  7. Umesh Ram Son of Sri Phuldeo Ram, Resident of Village- Naya Tola Jhitkahiya, P.S.- Mufassil (Motihari), District- East Champaran.
  8. Amrendra Prasad Chaudhary, Son of Sri Ram Kanhai Mahto, Resident of Village- Koirea Tola, Raxaul, P.S.- Raxaul, District- East Champaran.
  9. Hari Kishore Prasad, Son of Sri Mahesh Prasad Matwala, Resident of Village- Ujjain Lohiyar, P.S.- Harsiddhi, District- East Champaran.
  10. Sunil Kumar Gupta Son of Sri Ram Babu Prasad, Resident of Village- Khartari, P.S.- Chiraiya, District- East Champaran.
  11. Sanjeev Kumar, Son of Sri Krishna Kumar Gupta, Resident of Village- Khartari, P.S.- Chiraiya, District- East Champaran.
  12. Babita Kumari daughter of Sri Shyam Sundar Prasad, Resident of Village + P.O. + P.S.- Harsiddhi, District- East Champaran.

.... .... Petitioners

Versus

1. The State of Bihar through the Principal Secretary Department of Education, Govt. of Bihar, Patna.
2. The Presiding Officer, District Appellate Tribunal, East Champaran, Motihari.
3. The Director Primary Education, Govt. of Bihar, Patna.
4. The District Superintendent of Education, East Champaran at Motihari.
5. The District Education Officer cum District Programme officer (Establishment) East Champaran, Motihari.
6. The District Magistrate East Champaran Motihari.
7. The Block Development Officer Harsiddhi East Champaran Motihari.
8. The Block Education Officer Harsiddhi East Champaran Motihari.
9. The Block Pramukh cum Chairman, the Block Teacher Appointment Committee Harsiddhi East Champaran Motihari.

.... .... Respondents

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**Appearance :**

For the Petitioner/s : Mr. Madhurendra Kumar



For the Respondent/s : Mr. Kameshwar Kumar- GP17

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      09-08-2018                      Heard the parties.

Following reliefs have been sought for in the present writ application on behalf of the petitioners:

- A.** A writ in the nature of certiorari or any order appropriate writ/writs, order/orders for quashing the order dated 18-07-2016 passed by the learned Presiding Officer, District Appellate Tribunal East Champaran Motihari (Respondent No. 2) whereby and where the learned Tribunal affirmed the “Termination” order issued by the Block Development Officer, Harsidhi (Respondent No. 7) containing in Memo No. 56 dated 10-01-2015 holding that because the termination order passed on the basis of contradictory report regarding the genuineness of the Academic Certificate of the petitioner hence it cannot be said against the



principle of natural justice and dismissed the case filed by the petitioners (Annexure-14).

**B.** A writ in the nature of Mandamus or any order appropriate writ/writs, order/orders direction commanding the respondents for the following:

- I. To reinstate the petitioners on the post of Block Teachers considering the fact that twice the reports come in favour of the petitioners regarding the genuineness of their Academic/Training Certificate.
- II. To hold that the termination order passed by the The Block Development Officer, Harsidhi (Respondent No. 7) containing Memo No. 56 dated 10-01-2015 is null and void.
- III. To treat the petitioners service in continuation and also to pay the



arrears of salary since 10-01-  
2015.

Considering the facts and circumstances of the case, the petitioners are directed to prefer a statutory appeal before the State Appellate Authority, within a period of thirty days from the date of order and the same shall be disposed of by the State Appellate Authority within the statutory period, in accordance with law.

With the aforesaid observation/direction, the present writ application stands disposed of.

**(Sudhir Singh, J)**

A.K.V./-

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