

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18137 of 2014

Ashok Kumar Singh Son of Sri Ramekbal Singh Resident of Village -
Sikandarpur, P.S. - Maharajganj, District - Siwan, at present posted and
working as Headmaster in High School Sikandarpur, Maharajganj, Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department,
Government of Bihar, Patna.
3. The Director, Higher Education, Government of Bihar, Patna.
4. The Regional Deputy Director of Education, Saran Division, Chapra.
5. The District Magistrate, Siwan.
6. The District Education Officer, Siwan, District - Siwan.
7. The District Programme Officer, Siwan, District - Siwan.
8. The Chairman, Bihar School Examination Board, Patna.
9. The Secretary, Bihar School Examination Board, Patna.
10. The Chairman, Managing Committee of High School, Sikandarpur, District -
Siwan.
11. The Secretary, Managing Committee of High School, Sikandarpur, District -
Siwan.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	
For the State	:	Mr. Manoj Kumar Sinha, AC to GA 9
For Respondent No. 11	:	Mr. Umesh Mishra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 26-09-2018 The writ petition was listed on different dates. But
unfortunately no one appeared on behalf of the petitioner to
assist the Court. Under the compelling circumstances, in order
to provide one more opportunity, the writ petition was listed
under the heading for dismissal. Today also, none appears
representing the petitioner.

The writ petition was filed on 20.10.2014 for
quashing of letter no. 1647 dated 30.11.2013, whereby



respondent no. 6 -District Education Officer, Siwan has directed not to hand over any document to the petitioner and also directed the Managing Committee of the school to take action against the petitioner. The petitioner claims that he was working as Headmaster of the High School, Sikandarpur, Maharajganj, Siwan. He was appointed by the Selection Committee after completing all the process for appointment and started functioning. For academic session 2012-13 the amount available for distribution amongst the beneficiary students was properly distributed and the balance amount was returned to respondent no. 7 - District Programme Officer, Siwan. On complaint made by one Ratneshwar Kumar Singh, respondent no.6 issued a letter directing inquiry into the matter and on the basis of such complaint directed the Managing Committee not to hand over any document to the petitioner.

On behalf of respondent no. 7 counter affidavit has been filed wherein stand was taken that the petitioner was involved in embezzlement of government fund by enhancing the number of students shown on the head of admission and registration for Board Examination and in this way by practicing fraud fund of the State Government was siphoned off by the petitioner. Under the aforesaid circumstances, action was taken



against him by the respondent authorities.

The petitioner has neither filed any rejoinder to the counter affidavit nor the petitioner is appearing in the present proceeding. In the circumstances, when *prima facie* there are materials indicating embezzlement by active connivance of the petitioner, no indulgence can be granted.

The writ petition is accordingly dismissed.

(Anil Kumar Upadhyay, J)

mrl./-

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