

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13191 of 2014

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Suraj Kumar Son of Late Ram Lakhan Sharma, Assistant Teacher, High School, Bareb, Police Station- Akabarpur, District- Nawada at present residing at Village- Lakha Chak, Post- Roypur Koyal Bigha, P.S. Tharthari, District- Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar, through its Principal Secretary, Education Department, Government of Bihar, New Secretariat, Vikas Bhawan, Patna.
2. The Director (Secondary Education), Education Department, Bihar Secondary Education Officer, Budh Marg, Patna.
3. The District Education Officer, Nawada.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Bijay Kumar Pandey, Advocate
For the Respondent/s : Mr. Sita Ram Yadav, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

3 27-08-2018 Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

Petitioner is aggrieved by the order contained in Annexure-1 whereby the Director, Secondary Education, Patna held out that the appointment of the petitioner is forged one and as such passed order for termination of service of the petitioner.

Learned counsel for the petitioner submits that without holding any enquiry, the order of termination was passed. If that is so, the respondents have to cause an enquiry with opportunity of hearing of the petitioner.

Accordingly, Annexure-1 shall not be given effect to until fresh decision is taken by the Director, Secondary



Education, Patna after providing opportunity of hearing to the petitioner to establish whether his appointment is genuine or not and after the hearing the petitioner, if the Director, Secondary Education, Patna finds that the appointment of the petitioner is genuine, he shall ensure payment of all consequential benefits notwithstanding Annexure-1 and in the event the appointment of the petitioner is found to be based on forged appointment letter, the Director has the liberty to take appropriate action in accordance with law.

With the aforesaid, the writ petition is disposed of.

(Anil Kumar Upadhyay, J)

Ravi/-

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