

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5002 of 2017

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Priyanka Kumari, Daughter of Sri Rama Nand Chaudhary, Resident of Village Jhandapur, P.O. - Jhandapur, P.S. Bihpur, District Bhagalpur. Petitioner/s
Versus

1. The State of Bihar.
 2. The Director, Primary Education, Bihar, Patna.
 3. The Director, State Council of Education, Research & Training Cum Co-ordinator, Bihar Elementary Teacher Eligibility Test (BETET), Patna.
 4. The Bihar School Examination Board through its Secretary, Bihar, Patna.
 5. The Chairman, Bihar School Examination Board, Patna.
 6. The Secretary, Bihar School Examination Board, Patna.
 7. The Assistant Secretary cum Nodal Officer, Bihar School Examination Board, Patna.
 8. The District Education Officer, Bhagalpur.
 9. The District Programme Officer (Establishment), Bhagalpur.
 10. The Panchayat Secretary, Gram Panchayat Dharmapur Rati, Bihpur, Bhagalpur.
 11. The Vigilance Inspector, Vigilance Enquiry Bureau, Bhagalpur Range, Bhagalpur. Respondent/s
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Appearance :

For the Petitioner/s : Mr. Shree Kant Pandey, Advocate
For the Respondent/s : Mr. Madhaw Pd. Yadav- GP23
For the B.S.E. Board : Mr. Ajay Behari Sinha, Advocate
For Vigilance : Mr./Mrs. R. Shana, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY

ORAL JUDGMENT

Date: 15-05-2018

Heard learned counsel for the petitioner and the
counsel appearing on behalf of the State.

In view of the decision of the L.P.A. Court in L.P.A.
No.501 of 2017, the present writ application is disposed of.

The relevant part of the judgment passed in L.P.A. No
501 of 2017 dated 14.11.2017 reads as follows:-

“In our considered view, when it is an admitted
position that when the services of the petitioner
were terminated for having procured it by



producing a forged certificate, an opportunity of hearing was required to be granted to the petitioner and the same having not been done, this itself is sufficient enough to allow the writ petition.

Keeping in view the aforesaid, we allow the petition, quash the order dated 8.2.2017 and grant liberty to the respondents to proceed in accordance with law. The respondents should reinstate the petitioner and thereafter proceed in the matter in accordance with law. For the intervening period, no salary will be paid to the petitioners. So far as the appellant is concerned, it would be dependent upon the final out come of the enquiry conducted by the respondents and the action that they propose to take after such enquiry.”

Order impugned contained in annexure-10 is hereby quashed, in the light of the judgment of the Division Bench in L.P.A. No.501 of 2017.

(Anil Kumar Upadhyay, J)

Uday/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.05.2018
Transmission Date	

