

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.5800 of 2014**

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Saryug Prasad son of Late Hari Mahto resident of Mohalla - Sansar Pokhar,  
P.O. + P.S. Lakhisarai, District - Lakhisarai

... .. Petitioner/s

Versus

1. The State Of Bihar Through The Principal Secretary, Department Of Human Resources, Government Of Bihar, Patna
2. The Director, Primary Education Bihar, Patna
3. The Regional Deputy Director Of Education ( R.D.D.E. ), Munger
4. The District Magistrate, Jamui
5. The District Superintendent Of Education - Cum - Sub - Division Education Officer, Jamui
6. The Block Education Extension Officer, Jhajha, District - Jamui

... .. Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Arun Kumar, Advocate  
For the Respondent/s : Mr. Amit Bhushan, AC to GP-17

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**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY**  
**ORAL ORDER**

3      24-08-2018                      Heard learned counsel for the petitioner and the  
counsel appearing on behalf of the State.

Learned counsel submits that the order contained in  
Annexure-7 was passed behind the back of the petitioner and  
without initiating a regular departmental proceeding against the  
petitioner.

Learned counsel appearing on behalf of respondents  
submits that in this case the certificate of the petitioner was sent  
to the Bihar School Examination Board for verification and on  
verification certificate was found forged. Admittedly, petitioner  
was not heard before passing order adverse to the interest of the



petitioner.

In view of the above, the writ petition is allowed. Annexure-7 is quashed. The respondents are directed to give opportunity of hearing to the petitioner including the opportunity to the petitioner to establish that the certificate obtained by the petitioner is genuine and in the event during inquiry the petitioner establishes that this certificate obtained from the Bihar School Examination Board are genuine and respondents are satisfied with such explanation, they may pass appropriate order in favour of the petitioner. In the event the certificate of the petitioner is found to be forged, the respondent are hereby directed to register criminal case against the petitioner for using the forged certificate.

With the aforesaid, the writ petition stands disposed of.

**(Anil Kumar Upadhyay, J)**

Ravi/-

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