

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9140 of 2017

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Usha Kumari wife of Rajnandan Prasad, R/o Village- Dhophthall, P.O.-
Ramraichak, P.S.- Sirdalla, District- Nawada.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary Human Resources Development Department Bihar Patna.
2. Director Primary Education, Bihar, Patna.
3. District Magistrate, Nawada.
4. Regional Deputy Director of Education, Magadh Range, Gaya.
5. District Education Officer, Nawada.
6. District Programme Officer, Nawada.
7. Block Development Officer, Nawada.
8. Mukhiya Gram Panchayat Raj Choukia, P.S.- Sirdalla, District- Nawada.
9. Gram Panchayat Secretary, Gram Panchayat Raj Choukia, P.S.- Sirdalla, District- Nawada.
10. Anita Kumari, wife of Akhilesh Prasad, resident of Village- Surajudih, P.S.- Sirdalla, District- Nawada. working as Panchayat Teacher Surajdih, P.S.- Sirdalla, District- Nawada.
11. The Secretary, Bihar School Examination Board, Bihar, Patna.
12. The Additional Director General of Police, State Cabinet Vigilance Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh
For the Respondent/s : Mr.M.P. Yadav- Gp23

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

11 20-02-2019 As per the earlier directions of this Court, the

Additional Director General, Vigilance Investigation Bureau,

Bihar, Patna has submitted a detailed inquiry report dated

18.02.2019 along with his letter dated 20.02.2019 in a sealed

cover, which has been opened in the Court wherein it has been

stated that the certificates produced by the Respondent No. 10

has been found to be forged and fabricated. It is further

submitted that already two first information reports have been



lodged against the Respondent No. 10 namely, Anita Kumari viz are the ones bearing Sirdalla P.S. Case No. 135 of 2011 dated 19.10.2011 and Sirdalla P.S. Case No. 158 of 2012 dated 03.10.2012. It is submitted that charge-sheets have already been filed in the said two cases. In the aforesaid inquiry report, it has further been submitted that the certificates of the petitioner herein have been found to be correct and genuine. The said inquiry report further recommends that one more F.I.R. can be lodged against the Respondent No. 10 for filing forged documents before this Court.

Having regard to the inquiry report submitted by the Additional Director General, Vigilance Investigation Bureau, Patna dated 18.02.2019, this Court finds that the Respondent No. 10 has no case at all and has been illegally appointed as Panchayat Teacher in the Gram Panchayat Raj, Sindalla, District-Nawada hence, the complicity of the Respondent No. 10 as also the then selection committee which had appointed the Respondent No. 10 vide letter dated 03.06.2007 is writ large from the records. Since two criminal cases have already been registered against the respondent No. 10 and charge-sheets have also been filed, I deem it fit and proper to direct the Additional Director General, Vigilance Investigation Bureau, Patna to keep



a track of the said cases and ensure that proper follow up is done so that the same reaches to its logical conclusion. It is further directed that the Additional Director General, Vigilance Investigation Bureau, Patna shall also examine the role of the then selection committee and if warranted, take appropriate action, so that the guilty can be booked.

As far as the selection process in question is concerned, it is submitted that the Respondent No. 10 has already been removed from the post of Panchayat Teacher long back, hence nothing survives for consideration in the present writ proceedings.

At this juncture, the learned counsel for the petitioner submits that the respondents be directed to consider the case of petitioner for appointment as Panchayat Teacher in the aforesaid Panchayat in accordance with law.

Considering the facts and circumstances of the case and the materials on record, the respondents are directed to consider the case of the petitioner, on its own merits, for appointment on the post of Panchayat Teacher, if the said post is vacant in the aforesaid Panchayat, after following the due process of law.

The report submitted by the Additional Director



General, Vigilance Investigation Bureau, Patna is directed to be kept on record.

The writ petition stands disposed of with the aforesaid directions.

(Mohit Kumar Shah, J)

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