

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16294 of 2019

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1. Nitu Kumari @ Nitu Rani Daughter of Upendra Narayan Yadav Resident of Village-Budhi, P.O.-Murho, District-Madhepura was working as Panchayat Teacher Primary School Belachand Harijan Uttar Tola, District-Purnia
 2. Ranjan Kumar Son of Baleshwar Ray Resident of Village-Jankinagar Lalji Mandal Tola, P.O.-Jankinagar, P.S.-Janki Nagar, District-Purnia was working as Panchayat Teacher Primary School Mahadevpur Block-Banmankhi, District-Purnia
 3. Puja Kumari Daughter of Sahdeo Rishideo Resident of Village-Murliganj, P.S.-Murliganj, District-Madhepura was working as Panchayat Teacher Primary School Mahadevpur Block-Banmankhi, District-Purnia
 4. Ramesh Marandi Son of Munna Marandi Resident of Village-Tararhi, P.S.-Basnhi, District-Saharsa was working as Panchayat Teacher Primary School Gangapur Block-Banmankhi, District-Purnia

... .. Petitioner/s

Versus

1. The State of Bihar through the Collector, Purnia
2. The Collector Purnia
3. The District Education Officer Purnia
4. The District Programme Officer Establishment, Purnia
5. The Block Education Officer Bochaha, Purnia
6. Panchayat Secretary Panchayat Niyojan Unit, Gram Panchayat Raj Mhaniya Chakla, Block-Banmankhi, District-Purnia
7. Panchayat Secretary Panchayat Niyojan Unit, Gram Panchayat Raj Mahadevpur, Block-Banmankhi, District-Purnia
8. Panchayat Secretary Panchayat Niyojan Unit, Gram Panchayat Raj Gaganpur, Block-Banmankhi, District-Purnia

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Yadav, Advocate
For the Respondent/s : Smt.Shilpa Singh (Ga12)

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 13-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners were removed from service on the



ground of forged certificate of BET. ET.

Learned counsel for the petitioners would submit that the decision was taken without any enquiry with regard to the certificate in question. In other words the contention of the petitioners is that the impugned order of termination has been passed without compliance of principles of natural justice. He placed reliance on the judgment of the Division Bench dated 14.11.2017 passed in LPA No. 501 of 2017.

Considering the aforesaid judgment of the Division Bench, the writ petition is allowed. The order as contained in Annexure 1 dated 20.9.2018 is quashed. The matter is remanded back to the respondents to take fresh decision after opportunity of hearing to the petitioners.

On quashing of Annexure-1, the petitioners shall be entitled to reinstatement but salary would depend on the final out come in the enquiry proceeding.

With the aforesaid, the writ petition stands allowed and disposed of.

(Anil Kumar Upadhyay, J)

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