

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14387 of 2018

=====

Madan Singh S/o-Osiar Singh R/o-Vill-Achalpur, P.O.-Sutihar, P.S.-Derni,
Distt.-Saran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Principal Secretary, Human Resources, Govt. of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Programme Officer, Establishment, Muzaffarpur.
5. The Block Education Officer, Gayghat Block, Distt.-Muzaffarpur.
6. The Block Development Officer-Cum-Member Secretary, Block Teacher Employment Committee, Block-Gaygh

... .. Respondent/s

=====

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Singh
For the Respondent/s : Mr.Prabhakar Jha, GP-27

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-04-2019 The present writ petition has been filed for quashing the order dated 15.11.2016, whereby and whereunder the services of the petitioner has been terminated on the ground that he was appointed on the basis of forged certificate.

It is submitted that the impugned order dated 15.11.2016 has been passed without issuing a show cause to the petitioner herein, hence violates the principles of natural justice and is in the teeth of the law of the land. In this connection, the learned counsel for the petitioner relies upon a judgment dated 14.11.2017 passed by the learned Division Bench of this Court in L.P.A. No. 501 of 2017 as well as a judgment dated



06.12.2017 passed by a coordinate Bench of this Court in CWJC No. 17837 of 2017.

The learned counsel for the respondents does not dispute the position as existing in law.

Having regard to the facts and circumstances of the case, the present writ petition is allowed, the order of termination dated 15.11.2016 is quashed and the matter is remanded to the respondents for the purposes of proceeding afresh in the matter by issuing an appropriate notice to the petitioner and seeking his reply whereby appropriate orders may be passed by the respondents. However, it is made clear that for the intervening period no salary shall be paid to the petitioner herein and the same shall be subject to the final outcome of the proceedings to be concluded by the respondents which shall be concluded within a period of three months from the date of receipt/production of a copy of this order.

(Mohit Kumar Shah, J)

S.Sb/-

U			
---	--	--	--

