

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3664 of 2017

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Saroj Kumar Son of Bindeshwar Yadav, Resident of Village P.O.- Sangi,
Police Station- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Director, Primary Education Bihar, Patna.
3. The Regional Deputy Director Education, Darbhanga Division, Darbhanga.
4. The District Magistrate, Madhubani.
5. The District Education Officer, Madhubani.
6. The District Programme Officer Establishment, Madhubani.
7. The Sub-Divisional Officer-cum-Sub Divisional Auction Letter officer,
Phulparas, District- Madhuban
8. The Block Education Officer, Block- Phulparas, District- Madhubani.
9. The Headmaster, Middle School Baika, Block- Phulparas, District-
Madhubani.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Prabhakar
For the Respondent/s : Mr.Smt. Shilpa Singh- Ga12

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 18-02-2020

The services of the petitioner as Block Physical Teacher was terminated on finding that the certificate of training which he had furnished was forged. An FIR also is said to have been instituted against him.

The petitioner has approached this Court for quashing of the notices dated 19.06.2012, 28.07.2012 and 25.11.2016 by the certificate officer for deposit of Rs. 75,000/- which has been paid to him unauthorizedly.



The petitioner would be well advised to raise the issue before the certificate officer that the aforesaid amount, which has been paid to him is against the job which he has rendered and therefore such amount would not be recoverable under the Bihar and Orissa Public Demand Recovery Act, 1914.

As and when such an objection would be filed, the concerned certificate officer shall look into the entire aspect of the matter and shall pass orders in accordance with law.

So far as payment of some of the man-days to the petitioner is concerned, this Court would not like to pass any order for the reason that the petitioner had obtained the job by practicing fraud and fraud vitiates everything.

There is no merit in this petition and the same is dismissed but with the aforesaid observation.

(Ashutosh Kumar, J)

GAURAV S./
KRISHNA-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	
Transmission Date	

