

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11117 of 2018

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Pushpa Kumari Sah @ Pushpa Kumari Shah daughter of Late Ram Bachan Shah, wife of Sri Arun Kumar Gupta resident of Village - Vijay Nagar, Post Office Police Station - Bariarpur, District - Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Department of Home, Government of Bihar, Patna.
3. The Director General of Police, Government of Bihar, Patna.
4. The Inspector General of Police, Vigilance Investigation Bureau, Government of Bihar, Patna.
5. The Superintendent of Police, Vigilance Investigation Bureau, Government of Bihar, Patna.
6. The Sub-Inspector of Police, Vigilance Investigation Bureau, Camp. Patna namely Mr. Rahmat Ali.
7. The Principal Secretary, Education Department, Government of Bihar, Patna.
8. The Director, Primary Education Department, Government of Bihar, Patna.
9. The District Education Officer, Munger.
10. The District Programme Officer Establishment, Munger.
11. The Panchayat Niyojan Unit, Gram Panchayat Singhia Ethari, Block - Jamalpur, District - Munger thro
12. The Mukhiya, Gram Panchayat Singhia, Ethari, Block - Jamalpur, District - Munger.
13. The Bihar School Examination Board, Patna through its Secretary.
14. The Chairman, Bihar School Examination Board, Patna.
15. The Principal, St. Mary's W.P.T.T. College, B Deoghar - 814112, Jharkhand.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Ms. Sushmita Mishra, Advocate Mr.Surya Narayan Sah, Advocate
For the Respondent/s	:	Mr.Amit Bhushan -Gp17
For BSEB	:	Mr. Gyan Shankar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

7 20-02-2020

Ref: **I.A. No. 01 of 2019.**

During the pendecy of the writ application, the



respondents have taken decision to terminate the service of the petitioner which has been challenged by way of I.A. No. 01. of 2019.

Considering the fact in I.A. No. 01 of 2019, the same is allowed.

Heard learned counsel for the petitioner and the counsel appearing on behalf of the State.

Learned counsel appearing on behalf of the petitioner submits that service of the petitioner was dispensed with on the ground that the training certificate of the petitioner is not valid.

Learned counsel has drawn attention of this Court to Annexure-3 which is acknowledged of the fact that the degree of the St. Marry's (Mariam) education college, Deoghar is recognized by the State Government from the academic session 1978-80 to 16.3.1992.

The petitioner has obtained training certificate during the aforesaid period when the institution was recognized by the State Government.

It appears from the letter no. 1254 dated 24.9.2019 issued by the Director, Primary Education that explanation was called for from the District Education Officer, Munger under



what circumstances the certificate of the petitioner was considered forged without any enquiry.

The petitioner has obtained training in the year 1982-1984 whereas the college was enjoying recognition up to 1991-1993 and unfortunately no corrective measure was adopted by the Director, Primary Education notwithstanding noticing the illegality committed by the District Education Officer.

Under the aforesaid circumstances, the writ petition is disposed of with a direction to the Director, Primary Education to take appropriate decision with regard to claim of the petitioner as to reinstatement and back wages for illegal termination of the petitioner.

I.A. No. 01 of 2019 is allowed. The order of termination contained in Annexure-1 dated 22.12.2018 is hereby quashed.

Necessary fresh decision in this regard must be taken by the Director, Primary Education, Bihar within a maximum period of 45 days from the date of receipt/production of a copy of this order.

(Anil Kumar Upadhyay, J)

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