

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.430 of 2021

Arising Out of PS. Case No.- Year-0 Thana- District- Nalanda

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ASLAM RAZA S/O A. QUADIR R/O MOHALLA-KOHANA SARAI
NEAR MUNNA MIAN, KIHAWELI, P.S.-LAHERI, DISTRICT-
NALANDA.

... .. Petitioner

Versus

1. The State of Bihar
2. PRINCIPAL SECRETARY, VIGILANCE DEPARTMENT, SUCHANA
BHAWAN BAILEY ROAD, PATNA.
3. SUPERINTENDENT OF POLICE, VIGILANCE INVESTIGATION
BEURO, 6 SERKULAR ROAD, PATNA.
4. PRINCIPAL SECRETARY, EDUCATION DEPARTMENT, NEW
SECRETARIAT, PATNA.
5. DIRECTOR (ADMINISTRATION) CUM PRINCIPAL SECRETARY,
EDUCATION DEPARTMENT, NEW SECRETARY, PATNA.
6. SYED MASHHOD AHMAD S/O MAULANA SHAH @ AHMAD SAHAB
AT PRESENT WORKING AS INCHARGE PRINCIPAL GOVT.
MADARSA ISLAMIA, SAMSUL HODA, PATNA.

... .. Respondents

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Appearance :

For the Petitioner/s : Mr. Pratap Sharma, Adv.

For the Respondent/s : Mr. Saroj Kumar Sharma, AC to AAG-3

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 20-09-2022 Learned counsel for the petitioner shall remove all the
defects as pointed out by the Stamp Reporter within three weeks
from today.

Petitioner in the present case is seeking for an appropriate
writ/writs, direction/directions for proper investigation against erring
respondents for their alleged illegal and fraudulent act allegedly in
conivance with the Education Department.

He has made allegation that Sri. Sayed Mashhod Ahmed
(Respondent No. 6) is in service on the post of teacher on the basis of



forged and fabricated certificate. He has alleged that respondent no. 6 has obtained Nadwatul Ulama from a private Madarsa, Alimiat from Lucknow and Fazilat degree. He has made a forged date of birth certificate showing his date of birth as 31.12.1973.

A counter affidavit has been filed in this case on behalf of respondent no. 6. He has controverted the allegations made by the petitioner.

On perusal of the materials available on the records this Court finds that the petitioner is making allegation against respondent no. 6 as also the official respondents but he has not taken any step to lodge any F.I.R./ criminal complaint with the competent authority or a court respectively.

This Court sitting under Article 226 of the Constitution of India is not inclined to entertain its plenary jurisdiction to direct an enquiry in the matter. It is for the petitioner to seek his remedy, as may be advised to him, in accordance with law.

This writ application stands disposed of accordingly.

Certified copy of this order shall be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

