

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3156 of 2022

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Manbodh Kumar Son of Maheshwari Prasad Yadav Resident of Village-
Gamhariya, Ward No 7, Turkahi, P.S.-Madhepura, District-Madhepur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Department of Education, Govt. of Bihar, Patna.
3. The Regional Director, Purnia Division, Department of Education, Govt. of Bihar, Patna.
4. The Bihar School Examination Board, through the Secrerary, Fraser Road, Patna.
5. The Chairman, BIhar School Examination Board, Fraser Road, Patna.
6. The Controller of Examination (Mise), Bihar School Examination Board, Patna.
7. The Vigilance Office, Bihar School Examination Board, Fraser Road, Patna.
8. The Deputy Secretary (Villance), Bihar School Examination Board, Fraser Road, Patna.
9. The District Magistrate, District-Purnia.
10. The District Education Officer, District-Purnia.
11. The Block Education Officer, Block-Banmankhi, District-Purnia.
12. The Executive Office, Nagar Panchayat, Banmankhi, Block-Banmankhi, District-Purnia Now Municipal Council, Banmankhi, Block-Banmankhi, District-Purnia.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar Ojha, Adv., Mr. Shambhu Sharan Kumar, Adv.
For the Respondent/s	:	Mr. Ram Vinay Prasad Singh, AC to GA-12

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 09-03-2022

Heard the parties.

The petitioner by way of this writ petition
assails order passed by the District Appellate



Authority and the State Appellate Authority, whereby they have uphold the order passed by the Executive Officer, Nagar Panchayat, Banmankhi (Annexure-15), whereby the petitioner's appointment was cancelled holding that his appointment was made on the basis of a forged certificate of education qualification and Bihar Elementary Teachers Eligibility Test, 2011.

Learned counsel for the petitioner submits that the petitioner's certificate is genuine and is not forged. He had appeared in examination and after having cleared the examination, certificate was issued to him. The basis of rejection, therefore, is unjustified.

I have considered the submission, the certificate possessed by the petitioner is genuine or forged is a question of facts which requires to be adjudicated and examined by the Civil Court. It is not for this Court to adjudicate factual effect in the writ jurisdiction.

Leave it open to the petitioner to take up the appropriate remedy, this writ petition is



dismissed.

It goes without saying that the certificate of the petitioner is found to be genuine, he would be entitled to take up remedy afresh before this Court relating to the orders of his removal.

If the petitioner shall file civil suit as observed above, the Civil Court shall take steps to expeditiously dispose off the suit, considering the nature of the case, preferably within a period of one year.

(Sanjeev Prakash Sharma, J)

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