

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16018 of 2022

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Muneshwar Singh Son of Ram Jatan Singh, Resident of Village Ekrama, P.S.-
Chewara, District-Sheikhpura.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Home Department, Govt. of Bihar, Patna.
2. The Superintendent of Police Vigilance, Bihar, Patna.
3. The District Education Officer, Sheikhpura.
4. The District Programme Officer (Establishment), Sheikhpura.
5. The Secretary Block Teachers Selection Unit-cum-Block Development Officer, Chewara, District-Sheikhpura.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Md. Anisur Rahman, Adv.
For the Respondent/s : Mr. Manish Kumar (GP 4)

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

ORAL ORDER

2 25-11-2022

Heard the parties through virtual mode.

1. The petitioner has prayed as under :

“1. That this writ application is filed for the following reliefs:-

(a) For issuance of appropriate writ/order or direction quashing the notice issued under Letter No. 5972 dated 21.06.2022 by the respondent no. 2 the Superintendent of Police Vigilance, Patna by which the petitioner has been directed to appear in the vigilance office Patna with self attested copies of his entire educational certificate, Caste Certificate, Residential Certificate, Selection letter and a copy of the application submitted at the time of selection and counselling receipts as contained in Annexure-3 to this application.

(b) For issuance of appropriate writ/order or direction commanding the respondent particularly the respondent no. 2 not to send this type of notice to the petitioner in future.

(c) For any other relief or reliefs for which the



petitioner is found entitled in the opinion of this Hon'ble court."

2. Learned counsel submits that previously the petitioner's salary was not being paid in **C.W.J.C. No. 13762/2019** which was decided on 10.07.2019 and following order was passed :

“Considering the aforesaid, the writ petition is disposed of with a direction to the respondents to verify the record as to the validity of the appointment of the petitioner and also about his claim as to whether he has actually worked for the period he is claiming salary. In case the appointment of the petitioner is legal and valid and the petitioner has worked for the period in question, the respondents shall take steps for payment of salary for the period from August, 2010 to December, 2010 and December, 2013 to April, 2017. Necessary decision in this regard must be taken by the respondents within a maximum period of 60 days from the date of receipt/production of a copy of this order.”

3. Learned counsel submits that again the respondents are harassing the petitioner by issuing show cause notice after he has joined on the post relying upon a judgment passed earlier by this Court dated 08.05.2015.

4. Learned counsel submits that the vigilance has no authority to re-examine the documents/educational qualifications/ other documents.

5. In the opinion of this Court, this writ petition is wholly frivolous and the contention raised by the petitioner is absolutely without any basis. The petitioner cannot be allowed to avoid getting his educational qualification certificates verified. If the vigilance department is asking the petitioner to



produce the requisite documents and to verify whether his appointment was made in a regular method, no objection can be raised to such innocuous enquiry.

6. In view thereof, the writ petition is dismissed.

(Sanjeev Prakash Sharma, J)

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