

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No.339 of 2022

Shravan Kumar Beshon

....

Petitioner

-versus-

State of Odisha and others

....

Opposite Parties

CORAM: JUSTICE S.PUJAHARI

ORDER

27.07.2022

Order No.

- 03.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner and learned counsel for the State.
 3. The petitioner, who was working as a Headmaster in Lamsi Govt. U.P. School, Lamsi, Nandapara in the district of Sundargarh, a report was lodged by the Block Education Officer (BEO), Lahunipada, Sundargarh that he had entered into service through spurious qualification certificates. The said report was registered as F.I.R. being K. Bolang P.S. Case No.57 of 2021. Thereafter investigation has been carried out. But admittedly it was found that certificate of the Petitioner was found to be genuine as submitted by learned counsel for the State, after receipt of the report from the concerned police station. Therefore, it is submitted that no useful purpose is going to be served in continuing the investigation against the

Petitioner. Accordingly, this Court quashes the F.I.R. in K. Bolang P.S. Case No.57 of 2021 and the consequential proceeding in G.R. Case No.537 of 2021 for commission of offences punishable under Section 420/467/468/471 of I.P.C.

4. However, while parting with this case, I cannot refrain myself from observing the fact that though pursuant to direction of the government to verify the genuineness of the qualification certificates of the recruited teachers, as it was alleged that many teachers having no requisite qualifications have entered into service furnishing spurious certificates of educational and other qualification. But, the Authority while taking up the exercise appears to have proceeded in many cases very hastily and without verifying the genuineness of such certificates from the appropriate authority issuing the same, immediately lodged the report before the police, even if it pleaded by many of the persons that their certificates are genuine. The present case is of such cases as police on investigation did not find the allegation was genuine and proper before lodging the report. Such action of the Authority has caused immense damage to the reputation of a person and traumatized him. Therefore, the Authority of the Opposite Party No.4 shall cause an enquiry in this case against the opposite party no.4 and complete the enquiry not later than three months from the date of copy this order adhering to the principle of natural justice. From the enquiry, if it is found that without verifying the certificates in a proper manner, the F.I.R. was lodged, he may appropriately punish the person responsible. The Petitioner thereafter may also sue for

the damage caused for lodgment of such frivolous F.I.R. and the person responsible for the same, if so advised.

5. With the above observation, this CRLMC stands disposed of.

6. Issue urgent certified copy as per rules.

(S. Pujahari)
Judge

Uks

