

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2878 of 2023

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Punam Kumari Wife of Ajay Kumar Sharan, Resident of Village- Bhurkunda,
Barachatti, P.S.- Barachatti, District- Gaya. Petitioner/s
Versus

1. The State of Bihar
 2. The Principal Secretary, Department of Education, Government of Bihar, Patna.
 3. The Director, Primary Education, Department of Education, Government of Bihar, Patna.
 4. The District Magistrate, Gaya.
 5. District Education Officer, Gaya.
 6. The District Programme Officer (Establishment), Gaya.
 7. The Block Development Officer, Dobhi.P.S-Dobhi,District-Gaya
 8. The Block Education Officer, Dobhi.P.S-Dobhi,District-Gaya
 9. The Panchayat Secretary, Panchayat Teacher Appointment Unit, Neema Dobhi, Gaya.
 10. The Headmaster, Primary School, Neema, Block Dobhi, District-Gaya.
- Respondent/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Respondent/s : Mr. Kameshwar Kumar (GP-17)

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 19-12-2023 1. Heard learned counsel for the parties concerned.
2. The present writ application has been filed for direction to the authorities to pay the salary of the petitioner from June, 2018 to May, 2022 and from July, 2022 till date inasmuch as the salary of the petitioner has been stopped, without any reason, by the respondents-authorities.
3. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Panchayat Teacher at Primary School, Nima, Dobhi, Gaya, vide



Memo No. 6, dated 19.06.2015. Learned counsel further submits that the petitioner has regularly been approaching the respondents-authorities for payment of her salary.

4. The District Programme Officer (Establishment), Gaya, vide its letter no. 3760, dated 31.01.2022, informed the Block Education Officer, Dobhi, Gaya stating therein, that the documents i.e. CTET of the petitioner were genuine, but despite the same, salary of the petitioner is not being paid.
5. Learned counsel for the State, referring to the counter affidavit, submits that after verification of documents produced by the petitioner, it has come to light that CTET result of the petitioner was found fake and on the basis of forged CTET certificate, the petitioner has obtained appointment. Learned counsel next submits that the petitioner does not possess a valid result card and was not eligible for appointment as a teacher. List of candidates, appointed on the basis of forged CTET certificate, has been annexed at Annexure-A series to the counter affidavit and vide letter no. 308, dated 05.08.2022, the name of the petitioner has been placed at serial no. 5 in the said list.



6. Accordingly, the petitioner is not entitled for payment of salary as her appointment is illegal and is based upon forged and fabricated document/certificate.
7. Learned counsel for the State submits that for redressal of his grievance, the petitioner be permitted to file an appeal before the District Appellate Authority, Gaya.
8. Having heard learned counsel for the parties and taking into consideration the nature of dispute, the present writ application is disposed with liberty to the petitioner to file an appeal before the concerned District Teachers Appellate Authority.
9. It is made clear that if the appeal is filed within a period of one month from today, with condonation of delay petition, the District Appellate Authority shall consider the same and pass a reasoned order, in accordance with law, within a reasonable time frame.
10. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J)

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