

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3675 of 2023

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Abhishek Anand Son of Kedar Prasad, Resident of Village Hiranman Bigha,
Police Station Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Revenue and Land Reforms Department,
Government of Bihar, Patna.
3. The Director, Directorate of Land Records and Survey, Government of
Bihar, Patna.
4. The Assistant Director, Directorate of Land Records and Survey,
Government of Bihar, Patna.
5. The Assistant Settlement Officer, West Champaran at Bettiah.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Nath Dubey, Adv
For the State : Mr.Asif Kalim, AC to AAG 12

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 10-08-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The petitioner's selection as 'Special Survey Amin' has been cancelled by assigning a reason that the Diploma of Civil Engineering submitted by him purported to have been issued by CMJ, University was a fake certificate, as in the process of verification, the university has denied existence of such certificate.

3. Learned counsel for the petitioner submits that Annexure 8 (Communication dated 09.01.2023) issued by the University belies the allegation against the petitioner. The



allegation arose because there was some mis-communication in respect of the petitioner's registration number while seeking verification of the Diploma of Civil Engineering issued to him. In the process of verification, the respondents had relied upon a Registration No. of the petitioner, being 95598110350518, whereas the same should have been Registration No. 95598110350518(LE). Now that the petitioner approached the University with his correct Registration No. 95598110350518(LE), the University has acknowledged issuing the Diploma of Civil Engineering to the petitioner.

4. The fact on which the petitioner relies is much after the impugned order dated 22.12.2022 (Annexure 3), cancelling his appointment had come into existence. The order by which his appointment was cancelled entails other consequences, such as recovery of payment made to him for duties discharged as 'Special Survey Amin', since the conclusion in the impugned order is that the appointment was obtained on the basis of a fake Diploma.

5. Since new material has come forward, which support the petitioner's Diploma, and he claims that the same has been issued by the University, the Court is of the opinion that the respondent authority should get the same verified.



6. Let the petitioner approach the respondent no. 3 with a copy of the certificate dated 09.01.2023 (Annexure 8). If the petitioner approaches respondent no. 3 along with the copy of the certificate, and a copy of this order, the respondent no. 3 shall get the same verified; and after such verification only petitioner may be visited with the penal consequences of recovery of any money.

7. Writ petition is allowed to the above extent.

(Madhuresh Prasad, J)

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