

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9055 of 2015

Shiv Shankar Ram son of Sri Pudina Lal Ram Resident of Village PUSA
Bazar, P.S. Pusa, District Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar through Agriculture Production Commissioner, Department of Agriculture, Government of Bihar, Patna.
2. Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur through its Vice-Chancellor in place of The Rajendra Agriculture University, Pusa, Samastipur through its Vice Chancellor.
3. The Vice-Chancellor, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur in place of Vice Chancellor, Rajendra Agriculture University, Pusa, Samastipur.
4. The Registrar Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur in place of The Registrar, Rajendra Agriculture University, Pusa, Samastipur.
5. The Director Administration, Dr. Rajendra Prasad Central Agricultural University, Pusa, Samastipur in place of The Director Administration, Rajendra Agriculture University, Pusa, Samastipur.
6. The Officer In-charge, Comprehensive Cost of Cultivation Scheme, Dr. Rajendra Prasad Central Agricultural University. Pusa, Samastipur in place of The Officer In-charge, Comprehensive Cost of Cultivation Scheme, Rajendra Agriculture University, Pusa, Samastipur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Arjun Kumar, Advocate
For the University : Mr. Chandra Mohan Singh, Advocate
(Respondent nos.2 to 6)

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 04-10-2023

1. Heard learned counsel for the parties.
2. The petitioner has filed the instant application praying for setting aside the order contained in memo no.203 dated 22.5.2015 (Annexure-11) issued by the Director Administration, Rajendra Agriculture University whereby the



petitioner was terminated from the post of Field Man to which he was appointed under the Comprehensive Cost of Cultivation Scheme.

3. It is the case of the petitioner that pursuant to the Advertisement no.1 dated 27.7.2011 published by the Rajendra Agriculture University, Pusa, the petitioner applied for the post of Field Man and having successfully qualified in the interview conducted, was appointed. As directed he underwent necessary training and assumed charge at Koderma.

4. The petitioner was surprised to be served with a show cause notice vide letter no.199 dated 20.2.2015 stating therein that the experience certificate produced by the petitioner which was shown to have been issued by M/s Pusa Beej, Mahmada, Samastipur has been found to be forged and thus the petitioner was asked to reply as to why he be not terminated from service. The petitioner submitted his reply, however the respondent-University without going into the merits of the show cause terminated the petitioner vide order dated 22.5.2015, which is impugned in the instant application.

5. Learned counsel for the petitioner submits that the certificate of experience produced by him dated 15.8.2008 has been brought on record at page no.26 to the writ application



which clearly shows him having worked at the Pusa Beej Bhandar Centre from 10.5.2007 to 15.8.2008. With respect to the letter received on verification being made by the respondents from the same centre and which is at page no.36 to the writ application, learned counsel for the petitioner submits that it appears to be some mistake having been committed by the said centre. As such learned counsel for the petitioner submits that the respondents have committed an error in not getting the experience certificate of the petitioner properly verified, the order is not sustainable and thus the same be set aside.

6. Learned counsel appearing for the respondent nos.2 to 6 referring to the counter affidavit filed on behalf of the respondents submits that the advertisement in question was published for 45 posts of Field Man. The advertisement contained the eligibility for making application which clearly stipulated that besides I.Sc or I.Sc (Agriculture), the applicant should have one year experience in data collection. Learned counsel submits that this was an essential qualification for which the petitioner submitted the certificate dated 15.8.2008 (at page no.26). On complaint having been received by the Government, verification of the certificates was started and on



verification, it transpired that the certificate produced by the petitioner was forged and it had not been issued by the centre, issuance from which was claimed by the petitioner. The petitioner having used the forged certificate in getting appointment, a show cause notice was issued to him to submit his reply. On receipt of the petitioner's reply and considering the statements therein, the order of termination dated 22.5.2015 (Annexure-11) was passed. There is no illegality in the said order, there is no merit in the writ application and the same be dismissed.

7. Having heard learned counsel for the parties and taking into consideration the material on record, the facts not in dispute are that the eligibility required for making an application for the post of Field Man as contained in the advertisement at Annexure-1 required one year experience certificate in data collection. It is also not in dispute that the certificate dated 15.8.2008 was furnished by the petitioner which on verification has been found not to have been issued by M/s Pusa Beej, Mahmada, Samastipur contrary to the claim of the petitioner.

8. The experience certificate, furnished by the petitioner having been found to be forged, it further transpires that a show cause notice and an opportunity to explain his stand



was given to the petitioner and having considered the petitioner’s reply, the respondents have passed the order of termination dated 22.5.2015 which is impugned herein.

9. The Court finds no error in the order of termination dated 22.5.2015, no merit in the writ application and the same is dismissed.

(Partha Sarthy, J)

Shiv/-

AFR/NAFR	
CAV DATE	N/A
Uploading Date	06.10.2023
Transmission Date	N/A

