

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.7009 of 2023

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Neetu Devi W/o Sri Sunil Sharma, R/o Vill. Rasauk, Police Station- Morkahi
in the District of Khagariya.

... .. Petitioner/s

Versus

1. The State of Bihar through its Divisional Commissioner, Munger Division, Munger.
2. The Divisional Commissioner, Munger Division, Munger.
3. The District Magistrate, Munger.
4. The Director, I.C.D.S., Govt. of Bihar, Patna.
5. The District Programme Officer, Khagariya.
6. Mrs. Komal Thakur W/o Mukesh Kumar, R/o Vill. Rasuk, Police Station- Morkahi in the district of Khagariya.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sanjeev Kumar, Adv.
For the State	:	Mr.Md. Raisul Haque (SC-10)
For the Resp. No.6	:	Mr.Rajesh Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-11-2023 1. The present writ petition has been filed seeking the
following relief(s):-

“1.(I) To issue a writ in the nature of Certiorari to quash the order dated 03/12/2022 passed by Divisional Commissioner, Munger Division, Munger whereby and where under Madhyama Certificate (equivalent to Matriculation) of the petitioner was cancelled on frivolous ground.

(II) Also issue a writ in the nature of Mandamus commanding the respondent to allow the petitioner to discharge her duty as Anganwari Sevika of Anganwari Centre No. 190 of ward No. 08 of Gram Panchayat Raj Rasauk in the district



of Khagariya without any hindrance.”

2. At the outset, a limited issue, has been raised by the learned counsel for the petitioner, to the effect that the learned Commissioner, Munger Division, Munger, has got no jurisdiction to declare the educational certificate of the petitioner, pertaining to *Madhyama* Examination, issued by the *Bihar Sanskrit Siksha Board* as being forged/false, as has been done by him, by the impugned order dated 03.12.2022, passed in Anganwari Sewa Appeal No.24 of 2021.

3. The learned counsel for the respondent-State submits that though it is true that the learned Commissioner, Munger Division, Munger, has no authority to hold the educational certificate of the petitioner to be forged, unless and until the same is verified from the issuing institution/board in question, nonetheless, he submits that to the said extent, the said order dated 03.12.2022, may be held to be null and void. It is directed accordingly.

4. Accordingly, the present writ petitioner stands disposed off.

(Mohit Kumar Shah, J)

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