

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.221 of 2013

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Jagdish Mahto Son of Ram Narayan Mahto Resident Of Hasanpur Kirat, P.O. Muktapur Via Nawrang, Police Station - Kalyanpur Block, Kalyanpur, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. The Director, Primary Education, Government Of Bihar, Patna
3. The Secretary Bihar School Examination Board, Patna
4. The District Magistrate, Samastipur
5. The Additional Collector, Samastipur
6. The District Education Officer, Samastipur
7. The District Superintendent Of Education, Samastipur
8. The Sub-Divisional Officer, Samastipur
9. The Block Education Extention Officer, Kalyanpur Block, Samastipur
10. The Block Development Officer, Kalyanpur Block , Samastipur
11. The Mukhiya Govindpur Khajuri Panchayati, Kalyanpur Block District - Samastipur
12. Asharaf Khan Alias Asharaf Ali Khan Son of Md. Jahangir Khan Resident of Govindpur Khajuri, Police Station - Kalyanpur, Block Kalyanpur District - Samastipur At Present Working As Panchayat Teacher In Upgraded Middle School, Hasanpur, Kirat, Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan Sinha, Advocate
For the State	:	Mr. Anuj Kumar, AC to GP-24
For the BSEB	:	Mr. Satyabir Bharti, Advocate.
		Mr. Abhishek Anand, Advocate.
		Ms. Sushmita Sharma, Advocate.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

11 18-04-2023 The petitioner has challenged the appointment of respondent No. 12 on the ground that respondent No. 12 obtained the appointment on the post of Panchayat Teacher in upgraded Middle School, Hasanpur, Kirat, Samastipur on the



basis of forged matriculation certificate. Pursuant to the direction given by this Court dated 7.1.2014, the Bihar School Examination Board conducted the enquiry regarding the validity of the matriculation certificate of respondent No. 12 and found the same as invalid. Accordingly, learned counsel for the State as well as the learned counsel for the Bihar School Examination Board jointly submit that the present writ application has become infructuous.

Learned counsel for the petitioner pointed out the order dated 7.1.2014 and submits that this Court while allowing the respondent No. 12 to continue in service and also to get his salary during the period of enquiry conducted by the Bihar School Examination Board has also observed that if the respondent No. 12 is found to have got his admission on a forged matriculation certificate, he would be bound to refund the entire money drawn from Government exchequer and would also be subjected to criminal prosecution.

Be that as it may, having regard to the fact that the grievance of the petitioner regarding the challenge of appointment of respondent No. 12 has been redressed and his appointment has been cancelled by the State Government by order dated 15.4.2017 as contained in Memo No. 588,



accordingly, this present writ application is dismissed as having
become infructuous.

(Anil Kumar Sinha, J)

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