

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17775 of 2023

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Arun Pandey Son of Chandradev Pandey, Resident of Village- Bhediban Madhuban, P.S.- Pipra, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The Director, Primary Education, Department of Education, Government of Bihar, Patna.
4. The District Magistrate, District- East Champaran, Motihari.
5. The Superintendent of Police, District- East Champaran, Motihari.
6. The District Programme Officer (Establishment), District- East Champaran, Motihari.
7. The District Education Officer, District- East Champaran, Motihari.
8. The Bihar School Examination Board, through Secretary, Patna.
9. The Divisional Officer, Bihar School Examination Board, Tirhut Division, Muzaffarpur, Bihar.
10. The Block Institute of Teacher Education (B.I.T.E.), through Principal Block- Dariyapur, District- East Champaran.
11. Janardhan Pandey, Son of Late Ramchander Pandey, the Incharge - Headmaster, Utkramit / Upgraded Middle School, Koirgawan, Block- Chakia, East Champaran, Resident of Village- Bhediban Madhuban, P.S.- Pipra, District- East Champaran.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Vikash Kumar Pankaj, Advocate
For the Respondent/s	:	Mr.Prashant Pratap (Gp2)
For BSEB	:	Mrs.Binita Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 14-05-2024 1. The present writ petition has been filed seeking the following relief(s):-

“(i) To issue Writ of Mandamus or any other appropriate Writ Order direction commanding



Respondents particularly, Respondent No.4 to 7 to initiate effectual thread-bare inquiry and proceedings against Respondent No. 11 for procuring Govt. service on compassionate basis as a Govt. middle school teacher on the basis of fake and interpolated Primary Teachers' Training Examination- 2004 Marksheet interpolating himself as PASS with FIRST DIVISION (Annexure- P/1) whereas the original & certified copy of the relevant page of the said Primary Teachers' Training Examination-2004 Tabulation Register unambiguously declares him FAIL (Annexure- P/2).

(ii) To issue Writ of Mandamus or any other appropriate Writ Order direction commanding Respondents particularly, Respondent No. 5 & 7 to expeditiously direct for effectual criminal investigation into the aforesaid criminal action, fraud and forgery of documents deliberately conducted by Respondent No. 11 for procuring service as a Govt. middle school teacher on the basis of fake and interpolated Primary Teachers' Training Examination- 2004 Marksheet (Annexure- P/1).

(iii) To issue Writ of Mandamus or any other appropriate Writ Order direction holding the engagement / employment of Respondent No. 11 as Govt. teacher in the Utkramit / Upgraded Middle School, Koirgawan as illegal.

(iv) To issue Writ of Mandamus or any other appropriate Writ, Order, direction commanding Respondents particularly, Respondent No. 4 and 7 to



immediately stop the payment of salary or dues to the Respondent No.11 during the pendency of the present writ application and also till final outcome of the aforesaid enquiry / proceedings.”

2. At the outset, the learned counsel for the petitioner seeks not to press the present writ petition, however, seeks liberty on behalf of the petitioner to avail such other alternative remedies as are otherwise available under the law, for redressal of his aforesaid grievances. Liberty so sought is granted.

3. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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