

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No 8049 of 2023

1. Jyoti Kumar S/o- Balkrishna Prasad Singh Resident of Chhawani Jaynandan Bigha, PO.- Tekari, P.S.- Tekari, District- Gaya (Bihar).
2. Amit Kumar S/o- Nawal Kishore Prasad Resident of village Haibatput, P.O.- Bhojur, P.S.- Khusrupur, District- Patna (Bihar).
3. Kanishak Kumar S/o- Kripanand Prasad Resident of village Naugar, P.O.- Ashari, P.S.- Hilsa, District- Nalanda (Bihar).
4. Santosh Kumar S/o- Nand lal Prasad Resident of village Panchanpur, P.O.- Panchanpur, P.S.- Tekari, District Gaya (Bihar).
5. Ajeet Kumar Gupta S/o- Sidhnath Prasad Gupta Resident of mohalla Tekari, P.O.- Tekari, P.S.- Tekari, District- Gaya (Bihar).
6. Raushan Kumar S/o- Niwar Kumar Resident of village Bhawnathpur, P.O.- Rannuchak Makandpur, P.S.- Akbarnagar, District- Bhagalpur (Bihar).
7. Navneet Mani S/o- Vinod Kumar Resident of village Bathnaha @ Madhopur Ram, PO.- Baketpur, P.S.- Kathaiya, District- Muzaffarpur (Bihar).
8. Santosh Kumar S/o- Sitaram Das Resident of Mogalpura Chhatte Tal, Patna city, P.O.- Jhauganj, P.S.- Khajekala, District- patna (Bihar).
9. Ravi Ranjan Kumar S/o- Umesh Raj Resident of Ward no. 14, Lohagir, P.S.- Ujjagirpur, District- Samastipur (Bihar).
10. Aman Kumar S/o- Lal Bahadur Ray Resident of Ward no.5 Belsandi, P.S.- Besandi, District- Samastipur (Bihar).
11. Pappu Kumar S/o- Ganesh Prasad Ray Resident of Ward no.13, Lohangir, P.S.- Ujjayirpur, District- Samastipur (Bihar).
12. Sunny Kumar S/o- Gopal Pandit Resident of Chailital, Patna City, P.S.- Khajekala, District- Patna (Bihar).
13. Deepak Kumar S/o- Sanjay Prasad Rastogi Resident of Ward no.2, Chhoti Ballia Barar, P.S.- Balia, District- Begusarai (Bihar).
14. Amit Kumar S/o- Vinod Pandit Resident of Ward no.8, Ayodhya, P.S.- Teghra, District- Begusarai (Bihar).
15. Jagdish Kumar S/o- Motilal Resident of Tekari, P.S.- Tekari, P.O.- Tekari, District- Gaya(Bihar).
16. Sulekha Kumari D/o-Seetaram Das Resident of village Loha Ka Pul, Beldari Tola, Patna City, P.S.- Mehndiganj, P.O.- Jhauganj, District- Patna (Bihar).
17. Mukesh Kumar S/o-Abhay Kumar Resident of Mohalla Rikabganj, Main Road, P.S.- Tekari, P.O.- Tekari, District- Gaya (Bihar).
18. Mirtunjay Kumar S/o-Maheshwar Pasad Singh Resident of Rikabganj, P.S.- Tekari, P.O.- Tekari, District-Gaya (Bihar).
19. Ranveer Singh S/o- Bhagwan Singh Resident of Manika, P.S.- Madanpur, District- Aurangabad (Bihar).
20. Raj Kumar S/o- Naresh Rai Resident of New Bigrapur Bus Stand, P.S. and P.O.- Patna G.P.O, District- Patna (Bihar).



21. Kamal Ashraf S/o- Sagir Ahmad Resident of- B 1149/4 Kareli, P.S. and P.O.- G T B Nagar, District- Alahabad (Uttar Pradesh).
22. Satyapal Kumar S/o- Kishore Singh Resident of Parasabad, P.S.- Gargi, P.O.- Koderma, District- Koderma (Jharkhand).
23. Ashwani Raj S/o- Jay Prakash Singh Resident of Dharhara, P.S.- Paliganj, P.O.- Paliganj, District- Patna (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar Through the Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
2. The Additional Chief Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
3. The Under Secretary, Revenue and Land Reforms Department, Government of Bihar, Patna.
4. The Director, Land Records And Survey, Revenue and Land Reforms Department, Government of Bihar, Patna.
5. The Registrar, CMJ University, campus Jorabat, Ri-Bhoi, District- Meghalaya.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr P N Shahi, Sr Advocate with
M/s Samir Kr, Saurav Singh, Smriti Singh, Subhash
Kr, Amit Maharaj, Advocates
For the State : Mr.Sajid Salim Khan (Sc25)
For the University : Mr Vindhyachal Singh, Sr Advocate with
Mr Abhimanyu Deo, Advocate

CORAM: HONOURABLE MR JUSTICE ARVIND SINGH CHANDEL

ORAL JUDGMENT

Date : 17-06-2025

The petitioners have preferred this petition seeking the following reliefs:

“(i) For issuance of a writ/writs in the nature of certiorari to set aside order contained in letter No 01/Bhu A Ni (3) Vi Survey Amin (document verification)/16/2021 (Kand Ka) 4700 dated 22.12.2022 issued by Director, Land Records and Survey, Revenue and Land Reform



Department, Bihar Government (Respondent No 4) by which he has been pleased to hold that certificates of Diploma in Civil Engineering produced by the petitioners are forged one and their appointments on the posts of Special Survey Amin has been further cancelled;

(ii) For further holding that Certificates of Diploma in Civil Engineering obtained by petitioners as genuine and bona fide;

(iii) For any other reliefs to which the petitioners are found entitled to in the facts and circumstances of this case.”

2 The petitioners have also challenged the order dated 23.11.2023 (Annexure 16) whereby the appeal preferred by them has been rejected by the Appellate Authority.

3 Brief facts of the case are that the petitioners are Diploma (Civil Engineering) Holders from the CMJ University, Meghalaya and had completed their Diploma in different years. The Directorate of Land Reforms and Survey came out with Advertisement No 1 of 2019 for the recruitment of different posts on contractual basis for a period of 11 months subject to issuance of contract after 11 months on satisfactory performance. In this advertisement, the position of Special Survey Amin was also advertised and against these posts, all the petitioners herein applied and selected and got appointment on the post of Special Survey Amin. They joined their duty. Subsequently, show cause notices were issued and they were asked to give explanation about their



verification of documents because the concerned University (Respondent No 5) has informed that registration number of the petitioners have not been issued by the University. Some of the petitioners wrote letters to the University which informed that the documents are not fake, further requested to rectify the clerical error and also requested sometime for verifying the facts. Subsequently, the University informed the respondents that there was wrong information given by the University giving its reasons but it was not considered by the respondents. The impugned order dated 22.12.2022 (Annexure 9) has been passed whereby the services of the petitioner herein have been terminated. Some of the petitioners preferred an appeal against the said order which has also been rejected by the Appellate Authority vide its order dated 23.11.2023 (Anexure 16). Hence, this petition.

4 I have heard learned counsel appearing for the parties. Perused the documents annexed with the petition as well as the counter affidavit submitted by the respondents and the rejoinder, as submitted by the petitioners.

5 On perusal of the pleadings, the supplementary affidavit dated 23.11.2024 of respondent No 5 and the documents annexed therein, it is clear that on the basis of an FIR registered against Respondent No 5, the State of Meghalaya vide its order



dated 31.03.2014 passed the order of dissolution of the CMG University (Respondent No 5) which has been challenged by the University before the Meghalaya High Court and a learned Single Judge of the Meghalaya High Court in Writ Petition No 177 of 2014, on ground of non-compliance of principles of natural justice, set aside the order dated 31.03.2014 vide its judgment dated 16.07.2015 (Annexure F). The above order has been challenged by the State of Meghalaya by filing Writ Appeal No 14 of 2017 which was decided on 06.05.2021 and order passed by the learned Single Judge dated 16.07.2015 has been set aside and the matter was remitted back to the learned Single Judge for adjudication on merit. Respondent No 5 approached the Supreme Court challenging the order dated 06.05.2021 passed by the Division Bench of the High Court of Meghalaya and vide order dated 01.06.2021, Hon'ble the Supreme Court directed the parties to maintain status quo as to the functioning of the University in SLP (C) No 7081 of 2021. A categorical stand has been taken by Respondent No 5 that after passing of the order dated 16.07.2015 by the learned Single Judge of the Meghalaya High Court, the State of Meghalaya allowed the University to function for 9 academic years without any complaint and Respondent No 5 continuously functioned from 2015 till date without any demur.



Categorical pleading has been taken by the University that the State Government/UGC had allowed the University to function smoothly from the academic year, 2015-2016 to 2023-2024. The above stand taken by the University has not been rebutted by the other respondents in their counter affidavit. Thus, it is quite clear that the University (Respondent No 5) was functioning from academic year, 2015-2016 to 2023-2024.

6 Second supplementary counter affidavit of Respondent No 5 dated 20.01.2025 further shows that again the University has taken the stand that the degree of the petitioners has been verified by the University and it was found that all the petitioners herein have passed their examination in the year, 2018 which is also mentioned in the document (Annexure M) annexed with the supplementary counter affidavit dated 20.01.2025.

7 As contained in the document (Annexure M), it is quite clear that all the petitioners herein have passed their examination from the CMG University (Respondent No 5) in the year, 2018, i e, prior to their recruitment which has not been disputed by the counsel for the other respondents, i e, the State of Bihar. Therefore, on this ground alone, both the orders impugned are liable to be set aside. Accordingly, both the orders impugned dated 22.12.2022 and 23.11.2023 are set aside.



8 The matter is remitted back to the concerned respondents to take a decision afresh in the light of the stand taken by Respondent No 5 in this petition, as mentioned above.

9 Needless to say that the concerned respondents will pass a reasoned order as early as possible preferably within a period of 30 days from the date of receipt of a copy of this order.

10 The petitioners are at liberty to approach this Court again, if occasion arises later on.

(Arvind Singh Chandel, J)

M.E.H./-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	19.06.2025
Transmission Date	NA

