

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Civil Writ Jurisdiction Case No.18734 of 2019**

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1. Kamlesh Sah Son of Late Ganga Sah Resident of Mohalla-Majhowlia, P.S.-Majhowlia, District-West Champaran at Bettiah
2. Birendra Kumar Raja Son of Sri Ramashish Prasad Chourasia Resident of Mohalla-Bijbani, P.S.-Jitra, District-East Champaran at Motihari
3. Rameshwar Prasad Son of Heeraman Prasad Resident of at Satbhirawa, P.S.-Majhowlia, District-West Champaran at Bettiah
4. Arun Kumar Son of Sri Omprakash Prasad R/o Noniya Mahto Tola, P.S.-Paharpur, District-East Champaran at Motihari
5. Raj Kumar Prasad Son of Late Rambachan Prasad R/o Bettia, P.S.-Bettia, District-West Champaran at Bettiah
6. Rameshwar Prasad Son of Babulal Prasad Resident of at Dagauria, P.S. Jagdishpur, District-West Champaran at Bettiah
7. Birendra Prasad Kushwaha Son of Ramji Prasad Kushwaha R/o Village-Gurucharwa, P.S. Majhowlia, District-West Champaran at Bettiah
8. Tapsi Pandey son of Late Ramkripa Pandey R/o Mohalla-Dudhabhaluhi, District-West Champaran at Bettiah

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The State of Uttar Pradesh through the Assistant-Registrar Department of Education, Uttar Pradesh, Lakhnau
3. The Director Primary Education, Govt. of Bihar, Patna
4. The District Magistrate Bettiah
5. The District Education Officer West Champaran at Bettiah
6. The District Programme Officer (Establishment) West Champaran at Bettiah
7. Panchayat Secretary Gram Panchayat Raj Majharia, Sheikha, P.S. Majhoulia, District-West Champaran at Bettiah
8. Panchayat Secretary Gram Panchayat-Lal Saraiya, P.S. Majhoulia, District-West Champaran at Bettiah
9. Panchayat Secretary Panchayat Raj Bakhariya, P.S. Majhowlia, District-West Champaran at Bettiah
10. Panchayat Secretary Panchayat Raj Karmava, P.S. Majhowlia, District-West Champaran at Bettiah
11. Panchayat Secretaru Panchayat Raj Ramnagar Bankat, P.S. Majhowlia, District-West Champaran at Bettiah
12. Panchayat Secretary Panchayat Raj Mahodipur, P.S. Majhowlia, District-West Champaran at Bettiah
13. The Mukhiya Gram Panchayat Raj Majharia-Sheikh, P.S. and Block-



Majhauria, District-West Champaran at Bettiah

14. The Mukhiya Gram Panchayat Raj-Lal Saraiya, Block-Majhauria, District-West Champaran at Bettiah
15. The Mukhiya Gram Panchayat Raj Bhakharia, P.S. and Block-Majhauria, District-West Champaran at Bettiah
16. The Mukhiya Gram Panchayat Raj Karmawa, P.S. and Block-Majhauria, District-West Champaran at Bettiah
17. The Mukhiya Gram Panchayat Raj Ram Nagar Bankat, P.S. and Block-Majhauria, District-West Champaran at Bettiah
18. The Mukhiya Gram Panchayat Raj Mahodipur, Block and P.S.-Majhauria, District-West Champaran at Bettiah
19. The Block Education Extension Officer Block -Majhauria, District-West Champaran at Bettiah
20. The District Teachers Appellate Authority through its Member, West Champaran at Bettiah
21. The State Appellate Tribunal through its Member, Bihar, Patna

... ... Respondent/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Gupta  
For the Respondent/s : Mr. Madanjeet Kumar, GP-20  
AC to GP-20

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

3      23-06-2025                      1. Heard learned counsel for the petitioners and  
learned AC to GP-20 for the State.

2. The learned counsel appearing on behalf of the petitioners submits that petitioners, being aggrieved by their order of termination, have approached this Court seeking quashing of the order by which their services were terminated i.e. Memo No. 2411 dated 17.06.2014 issued by the District Education Officer, West Champaran at Bettiah whereby the services of the petitioners as Panchayat teacher in their respective school was terminated with a further direction to



make recovery from the paid salary and also to institute an FIR, further for quashing the letter contained in Memo No. 555 dated 11.04.2019 issued under the signature of the Principal Secretary, Education Department, Government of Bihar, Patna whereby claim of the petitioners for restoring them in service as Panchayat teacher, has been rejected.

3. The learned counsel for the petitioners next submits that the services of the petitioners as Panchayat teacher were terminated on the ground that they had submitted their BTC certificate of an institution in the State of U.P. which had no recognition, it is next submitted that the authorities even without getting the BTC certificate of the petitioners enquired from the State of U.P. in haste terminated the services of the petitioners. It is next submitted that from perusal of Annexure-17 series at Page-92, it would manifest that the Assistant Registrar, Department of Education, Uttar Pradesh vide Letter dated 16.08.1993 addressed to the Secretary, Manav Seva Sansthan, had recorded that the said institution has been given temporary recognition from 25.08.1993 till 1995 for conducting two years BTC Training Course. It is submitted that petitioners had obtained their BTC certificate from Manav Seva Sansthan U.P. in the year 1995 i.e. when temporary permission for conducting



the two years BTC course was in existence.

4. The learned counsel for the petitioners next submits that even FIR has been instituted against the petitioners, after their services were terminated.

5. The learned counsel appearing on behalf of the State submits that the services of the petitioners as Panchayat teachers was rightly terminated, as they were having BTC certificate which was found to be from an institution which was not in existence. It is next submitted that at Para-8 of the counter affidavit filed on behalf of the respondent nos. 5 and 6, it has been specifically stated-That according to lists of fake/unrecognized institutions numbers of teachers have been terminated. It is relevant to mention that the petitioners training college Maa Khandwari Mahavidyalaya, Pahariya Varanasi, Uttar Pradesh runs under Manav Seva Sansthan located at Gorakhpur is a self-helped institution and it works for the betterment and upliftment of Mushar caste. The institution of the petitioners from where they have got teachers training i.e. Maa Khandwari Mahavidyalaya, Pahariya Varanasi, Uttar Pradesh is not in existence. It is also relevant to mention here that Manav Seva Sansthan is neither listed in the list of CBSE, Delhi nor in the list of NCTE nor in the list of UGC, as such it



appears that petitioners have been appointed on forged/fabricated certificates, so they have rightly been terminated from service. It is next submitted that at Para-9 of the counter affidavit it has been pleaded- That when Maa Khandwari Mahavidyalaya, Gautam Buddha Colony, Pahariya, Varanasi, Uttar Pradesh was searched on website, it was found that the institution is located in village-Chahaniya, Post-Chahaniya, District- Chandauli which is recognized by NCTE, New Delhi, but on perusal of certificate and mark sheets of petitioners, it was found that the two years teachers training certificates have been issued by Manav Seva Sansthan, Gautam Buddha Colony, Pahariya Varanasi, Uttar Pradesh which has been forged/fabricated for the purpose of preparing forged mark sheets and certificates with a view to get job of *Panchayat/Prakhand* teachers in Bihar.

6. The learned counsel appearing on behalf of the State next submits that it has been specifically submitted by the learned counsel appearing on behalf of the petitioners that in pursuance of the order by which their services were terminated, FIRs were also instituted against the petitioners, but then petitioners have not taken any steps for getting the FIR quashed, it is thus submitted that had the petitioners been appointed on a



genuine certificate issued by a genuine institution, in that event petitioners would have made efforts for getting the FIR instituted against them quashed, but then not having done so also casts an aspersion on the case of the petitioners that petitioners were well aware of the fact that they were appointed based on forged and fabricated certificate, as such, they never made any endeavours for getting the criminal case instituted against them quashed.

7. After hearing the learned counsel for the parties, the Court is in complete agreement with the submissions made by the learned State counsel, as such, finds no merit in the writ application, **the writ application is dismissed.**

**(Satyavrat Verma, J)**

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