

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17413 of 2023

Chanda Jha D/o Rajkumar Jha, R/o Vill. and P.o.- Bahilwada, P.s.- Saraiya,
Dist. Muzaffarpur,

... .. Petitioner/s

Versus

1. The State of Bihar through its Principal Secretary, Education Department, Govt. of Bihar, New Secretariat Patna.
2. The Additional Chief Secretary, Education Department, Govt. of Bihar, New Secretariat Patna.
3. The Director, the Primary Education (Education Department) of Bihar, New Secretariat, Patna.
4. The District Magistrate, Muzaffarpur.
5. The District Education Officer, Muzaffarpur.
6. The District Programme Officer (Est.), Muzaffarpur.
7. The Block Education Officer, Minapur, Muzaffarpur.
8. The Block Development Officer, Minapur, Muzaffarpur.
9. The Block Panchayati Raj Officer, Minapur, Muzaffarpur.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Kumar, Advocate
For the Respondent/s : Mr. Subhash Chandra Mishra (Sc 16)

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 03-01-2025

Heard learned counsels for the parties.

2. The petitioner has approached this Court for the following reliefs:

(i) To quash the letter no.602 dated 05.02.2020, issued by the District Programme Officer (Est.), Muzaffarpur, whereby and whereunder the petitioner's Teacher Eligibility Test certificate was found forged and on that ground FIR was lodged against the petitioner and her appointment was cancelled. (Annexure-1 of the writ application).

(ii) To quash the follow order contempt in memo no.1639 dated 10.09.2022, issued by the



Block Development Officer, Minapur, Muzaffarpur, whereby and whereunder the appointment of the petitioner has been cancelled. (Annexure-2 of the writ application).

(iii) To further direct the respondent authority to pay the arrear of salary as well as current salary with all consequential benefits to the petitioner.

(iv) For any other relief(s) for which the petitioner is found entitled to be.

3. Learned counsel for the petitioner submits that the short fact of the case is that vide memo no.3104 dated 21.10.2013, issued by the Block Development Officer-cum-Secretary, Block Teacher Employment Unit-cum-Executive Officer, Panchayat Samiti, Minapur, Muzaffarpur, the petitioner was appointed as an untrained teacher in Middle School Bhagwan, Chhapra, Block- Minapur, Dist.- Muzaffarpur. The petitioner joined in the said school on 19.11.2013 and discharged her duty with satisfaction of the concerned authorities.

4. He further submits that the certificates of the petitioner and others were sent for verification to the Bihar School Examination Board and the Bihar School Examination Board, submitted the verification report whereby the TET certificates of the petitioner and others were found to be 'Not Qualified'. Accordingly, the respondent no.8, issued an office order vide memo no.1639 dated 10.09.2022 whereby the service of the petitioner was terminated.



5. He further submits that as per the report issued by the Vigilance, the name of the petitioner was mentioned as Chanda Kumari but the actual name of the petitioner is Chanda Jha. After knowing the difference in her name, petitioner gave an application before the Superintendent of Police, Vigilance. After investigation, Vigilance found and corrected the name of the petitioner and directed to read Chanda Jha in place of Chanda Kumar in its report. (Annexure-P/14 of the reply of the counter affidavit filed by respondent no.6).

6. Considering the annexure-P/14 of the reply of the counter affidavit filed by respondent no.6, the letter no.602 dated 05.02.2020 as well as memo no.1639 dated 10.09.2022 are hereby quashed and authorities are directed to appoint the petitioner and also give her the consequential benefits for which she is found entitled to be in the facts and circumstances of the case.

7. Accordingly, this writ application is allowed.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	07.01.2025
Transmission Date	NA

