

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.830 of 2023

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Ajay Kumar Paswan Son of Ram Kabila Paswan, Resident of Village-
Shahpur Shitalpatti, P.S.- Sahiyarg, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary Primary Education, Bihar, Patna.
2. The Principal Secretary (Home) Police, Bihar, Patna.
3. The Director General of Police, Bihar, Patna.
4. The District Magistrate, Sheohar.
5. The District Education Officer, Sheohar.
6. The Block Education Officer, Dumari Katsarai, Sheohar, District- Sheohar.
7. The Chariman, Bihar School Examination Board, Bihar, Patna.
8. The Secretary, Bihar School Examination Board, Bihar, Patna.
9. The Examination Controller, Bihar School Examination Board, Bihar, Patna.
10. The Principal S.R.K.G. College, Sitamarhi.
11. The Superintendent of Police, Vigilance, Bihar, Patna.
12. The I.O. Bhatahia (Shyampur Bathan) P.S. Case No. 131/2022, District- Sheohar.
13. The Police Inspector-Cum-Investigator-Cum-employed teacher inquiry, Sheohar.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Sadanand Paswan, Adv.
For the State	:	Mr.Subhash Chandra Mishra, SC16
	:	Mr. Madhukar Mishra, AC to SC16
For the B.S.E.B.	:	Mr. P.K. Shahi, Sr. Adv.
	:	Mr. Gyan Shankar, Adv.
For the Vigilance	:	Mr. Anil Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

7 11-02-2025 Heard learned counsel for the parties.

2. The present writ petition has been filed seeking
following reliefs:-

*“A) A writ in the nature of certiorari or any other
appropriate writ /writs, order/orders,*



direction/direction for quashing the following:-

(i) The report of the Bihar School Examination Board in Letter No. 573/2011 dated 19.4.2021 issued under the signature of Vigilance Officer Vigilance verification Cell Bihar School Examination Board (Part of the Annexure-1/.. Page-3.4..) series

(ii) The F.I.R. Shyampur Bhataha P.S. Case No. 131/2022 dated 10.7.2022 registered u/s 420, 467, 468, 471 of I.P.C. with allegation that the petitioner obtained the employment using the "FAKE" marksheet of the intermediate examination as a genuine (Annexure-...).

(B) A writ in the nature of mandamus or any other appropriate writ/ writs, order/ orders, direction/directions for commanding the respondents for the following:-

(i) To treat the letter No. 573/2021 dated 19.4.2021 and the whole F.I.R. of Shyampur Bhataha P.S. Case No. 131/2022 is Nonest in the eye of law, the same are misleading one and based on wrong facts.

(ii) To direct the Bihar School Examination Board to correct the result of the petitioner in T.R. accordance with marks obtained by the petitioner after re-evaluation of his marks in intermediate examination 2007.

(iii) To restrained the petitioner as a Block teacher with his full back wages and other benefits forthwith.

(iv) To pay all the due amount including the salary and other allowance with Panel Interest Forthwith.

(v) To treat that the petitioner in containing in service from the date of his appointment.

(vi) To pay compensation to the petitioner for implicating him in Criminal case.

(vii) To restrained the respondent to take any coercive step against the petitioner during the pendency of this writ application.

(C) To any other relief /reliefs for which the petitioner is entitled."

3. A counter affidavit has been filed on behalf of the



Bihar School Examination Board in which it is stated that after due verification of the record available with the Board, it was revealed that the mark-sheet as attached by the petitioner is wrong/incorrect and the correct factual position of marks of the petitioner is as follows:-

Subject	Marks Obtained
R.B. Hindi	55
English	44+56=100
Physics	26+13=39+21(PR)=60F
Chemistry	08+13=21+23(PR)=44F
Mathematics	41+30+71
Total/Division	330 (Fail)

4. It is submitted by learned counsel for the B.S.E.B. that the petitioner has submitted an incorrect mark-sheet indicating that he scored 452 marks. This said mark-sheet is counterfeit.

5. Considering the statement made by learned counsel for the B.S.E.B. and learned counsel for the Vigilance, the present writ petition devoid of any merits and is, accordingly, dismissed.

(Anjani Kumar Sharan, J)

anand/-

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