

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.10647 of 2026

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Lalan Kumar Jha Son of Sri Mahanand Jha, Resident of Village-Jamua, P.S.-
Tarabadi, District-Araria, at present working as Assistant Teacher in Brahmi
Vinod Sanskrit Uchcha Vidyalaya, Doria, District-Araria.

... .. Petitioner/s

Versus

1. The State of Bihar through the Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
2. The Additional Chief Secretary, Department of Education, Government of Bihar, Patna.
3. The District Education Officer, Araria, District-Araria.
4. The Bihar Sanskrit Shiksha Board, Behind Hardings Road, Patna.
5. The Chairman, Bihar Sanskrit Shiksha Board, Behind Hardings Road, Patna.
6. The Secretary, Bihar Sanskrit Shiksha Board, Behind Hardings Road, Patna.
7. The Managing Committee of Brahmi Vinod Sanskrit Uchcha Vidyalaya, Doria District-Araria.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Durga Nand Jha, Advocate
For the Respondent/s	:	Mr. Government Advocate (11)
		Mr. Rajnish Shandilya, AC to GA-11
For the Board	:	Mr. Satyam Shivam Sundaram, Advocate
		Mr. Aniket, Advocate
		Mr. Aman Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 27-07-2026 Heard learned counsel for the petitioner and learned
counsel for the State.

2. The writ petition has been filed for the following
reliefs :-



(i) Issuance of a writ in the nature of certiorari for quashing the without Jurisdictional letter no. 1230 dated 17.6.2026 issued by District Education Officer, Araria whereby and where under the Secretary/President of Brahmi Vinod Sanskrit High School, Doria, District-Araia has been directed to FIR institute one for against the petitioner against his appointment obtained by committing forgery, without jurisdiction, as also against the mandate of Government India dated 14.08.2013.

A copy of letter no. 1230 17.6.2026 is annexed herewith and marked as Annexure-P/1 to this writ application.

(ii) Issuance of further writ in the nature of certiorari for quashing the without jurisdictional order issued by the District Education Officer, Araria forwarded to Secretary, Bihar Sanskrit Shiksha Board, Patna with recommendation to take action against the petitioner with regard to his appointment in the school without issuing any show cause notice to petitioner, against the mandate of public grievances and Pension Department of personnel and Training. Government of India dated 14.08.2013.

A copy of letter No. 885 dated 12.6.2026 is annexed herewith and marked as Annexure-P/2 to this writ application.

(iii) Issuance of a consequential writ in the nature of mandamus directing and commanding the Respondents not to interfere in the peaceful working of the petitioner who has been appointed validly after following all the procedure of appointment and nothing has been concealed by the petitioner.

(iv) Issuance of an appropriate declaration that whole matter as mentioned in the letter of D.E.O. dated 17.6.2026 are based on incorrect



report of one Sagar Kumar Jha who is on inimical term with petitioner and is fighting several criminal litigations with the daughter of petitioner and in order to harass the petitioner, has submitted incorrect facts related to elder of petitioner by impersonating petitioner and thus the letter of D.E.O. is not genuine /correct and same does not require to be asked upon by Respondents 4 to 7. In other words the Respondents 4 to 7 be restrained from taking any coercive steps against the petitioner without conducting deep and thorough enquiry through impartial authority/person.

(v) Any other relief or reliefs be granted to petitioner to which he is found to be entitled.

3. Learned counsel for the petitioner submits that without giving any opportunity of hearing, the District Education Officer, Araria, is said to have forwarded the report in which various allegations have been levelled against this petitioner and has requested the Board and the Managing Committee to take appropriate action against this petitioner including lodging of the F.I.R.

4. It is made clear that, without providing any opportunity of hearing, neither an F.I.R. shall be lodged nor any punitive action shall be taken by the Board or the Managing Committee and once the procedure is completed after affording full opportunity of hearing, it shall be open to the Board or the Managing Committee to take appropriate action on the basis of the materials that has surfaced during the course of the inquiry.



5. The issues of jurisdiction which has been raised by the learned counsel for the petitioner that the District Education Officer, Araria, did not have a jurisdiction to inquire such allegations, this Court is of the firm view that the allegations which is made before the District Education Officer, Araria, can well be inquired into by him following principles of natural justice, however, any action as proposed in law against the delinquent can only be taken by the competent authority in accordance with law.

6. With the aforesaid observation / directions, the writ petition stands disposed of.

(Ajit Kumar, J)

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