IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15681 of 2026

CNR No. BRHC011021562026

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Kumari Alita Wife of Sri Kameshwar Singh, Resident of Village- Manaini, P.S.- Charpokhari, District- Bhojpur.

... ... Petitioner/s

Versus

1. The State of Bihar through the Chief Secretary, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Government of Bihar, Patna.
3. The Director, Primary Education, Education Department, Government of Bihar, Patna.
4. The District Education Officer, Bhojpur, Ara.
5. The Bihar School Examination Board, Patna, through its Secretary.
6. The Panchayat Secretary, Gram Panchayat Sandesh, District- Bhojpur.
7. The Panchayat Teacher Niyojan Unit, Sandesh, District- Bhojpur.

... ... Respondent/s

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Appearance :
For the Petitioner/s : Mr. Bibhakar Tiwary
For the Respondent/s : Mrs. Namrata Mishra, AAG-9
Mr. Subodh Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

2 27-10-2026 Heard learned counsel for the petitioner and learned counsel for the respondents.

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

(i) For quashing the Memo No.15, dated 11.03.2026 issued by the Gram Panchayat, Sandesh, Bhojpur, whereby the petitioner has been relieved from her service as Panchayat Teacher.

(ii) For quashing the consequential action taken against the petitioner on the basis of Letter No.440 (Establishment) dated 27.01.2026 issued by the District Education Officer, Bhojpur, insofar as the same has resulted in the petitioner's termination

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from service.

(iii) For commanding the respondent authorities to reinstate the petitioner on her post of Panchayat Teacher, with all consequential benefits arising thereon.

(iv) For any other relief(s) to which the petitioner is found entitled to in the facts and circumstances of the case.

3. Learned counsel for the petitioner submits that the petitioner was appointed on the post of Panchayat Teacher vide appointment letter dated 13.08.2010 and was posted at N.P.S. Pasi Tola, Sandesh, District Bhojpur. During the course of her service, she acquired the requisite professional qualification and successfully underwent the prescribed teacher training and evaluation processes, including the D.El.Ed. examination held in June, 2016, in which she was declared successful.

4. It is the case of the petitioner that, after her appointment, she continued to discharge her duties as Panchayat Teacher and underwent the prescribed training programmes from time to time. During the course of her service, her educational qualification was sent for verification, and accordingly, the relevant documents of the petitioner were forwarded to the Bihar School Examination Board (hereinafter referred to as the ‘Board’) vide Letter No. 358 dated

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28.05.2025, along with the requisite details, including roll code, roll number, registration number, examination year and the faculty, in which the petitioner had obtained her educational qualification. In the verification report submitted by the Board, it was stated that the records maintained by the office of the Board, had reflected that the certificates had been issued only up to Roll No. 10112, whereas the petitioner's roll number was 10136. Accordingly, the petitioner's educational qualification was found to be forged and fabricated, pursuant to which Sandesh P.S. Case No. 14 of 2026 came to be instituted under Sections 420, 467, 468, 471 and 120B of the Indian Penal Code.

5. The office of the District Education Officer, Bhojpur, issued Letter No. 440 (Establishment) dated 27.01.2026, pursuant to which further action was directed to be taken against the petitioner by initiating a departmental proceeding. Thereafter, the Panchayat Teacher Niyojan Unit, Sandesh, took a decision on 12.02.2026, pursuant to which Memo No. 15 dated 11.03.2026 came to be issued, whereby the petitioner was dispensed from her post of Panchayat Teacher, which order is also the subject matter of challenge before this Court.

6. At this stage, learned counsel for the petitioner,

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by referring to the report addressed to the Superintendent of Police, Vigilance Investigation Bureau, Patna, submits that the documents sent for examination were later found to be genuine. The report, contained in Letter No. VVC/943/2026 dated 28.09.2026, is said to have been duly signed by the Administrative Officer-cum-In-charge Officer, Vigilance Verification Cell, which has been appended as Annexure-P/13 to the supplementary affidavit filed on behalf of the petitioner.

7. It has next been submitted that, vide Annexure-P/11, the Panchayat Secretary-cum-Panchayat Employment Unit was directed to take appropriate steps by initiating disciplinary action against the petitioner, as is apparent from the order contained in Memo No. 440 dated 27.01.2026. However, instead of initiating appropriate disciplinary proceedings, the Employment Unit issued the order dispensing with the services of the petitioner without resorting to the procedure known to law. The decision so taken was placed before the Committee, who is said to have approved the order dispensing the services of the petitioner with reference to Letter No. 440 dated 27.01.2026 issued by the office of District Education Officer, Bhojpur. The petitioner submits that the consequential action taken against her, including the issuance of Memo No. 15 dated

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11.03.2026 by the Gram Panchayat, Sandesh, Bhojpur, is unsustainable in law as the impugned order is cryptic in nature and does not deal with the materials referred to by the petitioner, which is appended with the writ application clearly shows that the documents related with the educational qualification of the petitioner has been found to be genuine.

8. On the other hand, learned counsel for the Board, who sought adjournment to obtain appropriate instructions, when the matter was taken up yesterday, i.e., on 26.10.2026, submits that no instructions have been received. It is, however, submitted that the documents having been issued by the Board, can always be verified by the authorities and if found genuine, in that event, appropriate action in terms of the direction shall be taken in the interest of justice.

9. Having considered the submissions made on behalf of the parties, the verification report referred to by learned counsel for the petitioner and the manner in which the services of the petitioner have been dispensed with, this Court finds that the impugned order cannot be allowed to sustain in law.

10. The order dispensing with the services of the petitioner, said to have been passed in a cryptic manner without

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resorting to the procedure prescribed by law, particularly when there was a specific direction by the District Education Officer, Bhojpur, to initiate disciplinary proceedings against the petitioner, before taking any action, and from the records and the order passed, it is evident that no such proceedings appear to have been initiated before the order dispensing with her services was passed, the same is required to be interfered with in the interest of justice.

11. In view of the aforesaid circumstances, this Court finds it appropriate to set aside the Letter No. 440 dated 27.01.2026 issued by the District Education Officer, Bhojpur as well as the Memo No. 15 dated 11.03.2026 issued by the Gram Panchayat, Sandesh, Bhojpur, and directs the respondent authorities to verify the documents appended with the writ application within a period of two weeks from the date of presentation of a copy of the order passed by this Court.

12. In the event the documents submitted by the petitioner are found to be genuine and there remains no dispute with regard to the genuineness of the documents relied upon by the petitioner in support of her bona fides, the petitioner shall be reinstated in service along with all consequential benefits to which she is entitled, by treating her service as continuous from

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the date of termination, and all such benefits shall be extended to the petitioner forthwith.

13. It is further directed that, in the event no decision is taken within the aforesaid period of two weeks, the petitioner shall straightway be reinstated in service, and the verification of her documents may be carried out after reinstatement.

14. With the aforesaid observations and directions, the instant writ application stands allowed.

(Ajit Kumar, J)

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