



2025:PATHC:102869

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18859 of 2025

Rani Kumari, Wife of Arun Kumar Akela, Village Jhingaha, Ward No. 02, P.S. Jhingaha, District Muzaffarpur and presently resided at Village Kothiya, Ward No. 13, P.S. Sheohar, District Sheohar.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Primary Education, Government of Bihar, Patna.
2. The Principal Secretary, Department of Primary Education, Government of Bihar, Patna.
3. The Collector cum District Magistrate, Sheohar.
4. The District Education Officer, Sheohar.
5. The District Programme Officer, Sheohar.
6. The Block Education Officer, Sheohar, District-Sheohar.
7. The Panchayat Sachiv cum Niyojan Ikai, Gram Panchayat Raj, Kushahar, District-Sheohar.
8. The Headmaster, Primary School Kushahar, Kasba Tola, Anchal Tariyani, District-Sheohar.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar, Adv.
For the Respondent/s : Mr. Standing Counsel (15)

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-11-2025 Heard the parties.

2. The petitioner was duly appointed as a Panchayat Teacher based upon certain educational/ experience certificate long back in the year 2010. Later on, suspicion has been raised with respect to genuineness of the experience certificate duly furnished by the petitioner, which led to institution of the FIR being Taryani P.S. Case No. 150 of 2023. After institution of the FIR, the petitioner was not allowed to discharge the duty. The





allegation was properly inspected by the Vigilance Investigating Agency and on being found no adverse material, the investigating agency finally submitted the closure report as the allegation is found to be a mistake of fact. The said closure report is placed on record as Annexure P/12 to the writ petition.

3. Learned Advocate for the petitioner contended that upon submission of the Final Report as afore-noted, the petitioner has approached before the Employment Unit, and a guideline has been sought for by the District Educational Officer, but no such guideline has been provided and the matter has been kept in abeyance, till date. The Chief Judicial Magistrate, Sheohar having perused the final report, accepted the same vide order dated 28.05.2025. Despite the aforesaid facts, the petitioner has not been allowed to resume her duty. Hence, the petitioner has approached this Court.

4. Learned Advocate for the State fairly submitted that once the final form has been accepted, the authorities shall look into the matter and take an appropriate decision.

5. Having heard the learned Advocate for the respective parties and taking note of the fact that the very basis for dispensing with the services of the petitioner, of having been obtained the services upon a fake experience certificate, leading





to institution of the FIR, is no more in existence on account of submission of the closure report and its acceptance by the competent Court. Thus, in any view of the matter, the petitioner should be allowed to resume his duty, if there is no impediment, otherwise.

6. In view of the aforesaid facts, this Court direct the respondent no. 4, to consider the request of the petitioner for resumption of her duty, for which she has also filed a detailed representation, the copy of which is marked as Annexure P/15, preferably within a period of four weeks' from the date of receipt/production of copy of this order and pass appropriate consequential order, by directing the Employment Unit, in accordance with law.

7. The writ petition stands disposed off.

(Harish Kumar, J)

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