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**IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR**

**BEFORE
HON'BLE SHRI JUSTICE VIVEK AGARWAL
ON THE 30th OF JANUARY, 2023**

WRIT PETITION No. 15352 of 2003

BETWEEN:-

SMT. LAXMI BAIRAGI D/O NOT MENTION, AGED ABOUT 38 YEARS, OCCUPATION: SERVING ON THE POST OF A.N.M. IN THE SAMUDAIYIK SWASTHYA KENDRA GHUGHRI DISTRICT MANDLA (MADHYA PRADESH)

.....PETITIONER

(SHRI SANJAY PATEL - ADVOCATE AND OTHERS ARE ABSENT)

AND

- 1. THE STATE OF M.P. THROUGH DIRECTOR OF HEALTH SERVICES BHOPAL (MADHYA PRADESH)**
- 2. COLLECTOR MANDLA DISTRICT MANDLA (MADHYA PRADESH)**
- 3. CHIEF MEDICAL OFFICER MANDLA DISTRICT MANDLA (MADHYA PRADESH)**
- 4. BLOCK MEDICAL OFFICER PRIMARY HEALTH CENTRE GHUGHRI DISTRICT MANDLA (MADHYA PRADESH)**

.....RESPONDENTS

(BY SHRI MANAS MANI VERMA - GOVERNMENT ADVOCATE)

.....
This petition coming on for hearing this day, the court passed the following:

ORDER

None for the petitioner.

On the last date of hearing, Shri Yashpal Patel, learned counsel had appeared for the petitioner and sought time to prepare the case. Today, none

appears for the petitioner.

Record perused and heard Shri Manas Mani Verma, learned Government Advocate.

This petition is filed seeking setting aside of the order dated 22.05.2000 (Annexure A-9) passed by the respondent No.3 - Chief Medical and Health Officer, Mandla and order dated 26.05.2000 (Annexure A-10) passed by the respondent No.4 - Block Medical officer (Primary Health Center), Ghughri, District Mandla, whereby on discovering a fact that petitioner - Smt. Laxmi Bairagi had obtained appointment as ANM on the basis of a forged mark-sheet. She was issued a show cause notice and, thereafter, her services were terminated.

Respondents have filed their return and it is pointed out that petitioner had submitted mark-sheet of Class 8th and that mark-sheet was found to be forged, therefore, her appointment was cancelled. It is also pointed out that petitioner had in fact submitted a photocopy of the mark-sheet of Class 8th, which is enclosed as Annexure R-1. Petitioner was given a show cause notice (Annexure R-2) dated 09.03.1999 asking her to submit her original mark-sheets of Class 5th, 7th, and 8th. Thereafter, reminder was sent on 13.07.1999 but, petitioner never produced any original mark-sheet, as a result, a show cause notice was issued and, thereafter, services of the petitioner were terminated. Petitioner being guilty of producing a forged mark-sheet, is not entitled to seek any indulgence in the matter, inasmuch as, there is no other evidence to point out that petitioner had not produced forged mark-sheet.

Petitioner has not even produced the original mark-sheet of Class 7th to deny the contention of the authorities that petitioner was not guilty of producing

a forged mark-sheet.

In view of such facts, when petitioner obtained appointment by using a forged document, no indulgence is required in the matter of termination of the petitioner on account of her securing appointment on the strength of forged document.

Thus, petition fails and is dismissed.

(VIVEK AGARWAL)
JUDGE

pp

