

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.12390 of 2015

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Ram Lakhan Ram, Son of Ram Kumar Ram, resident of Village Balapokhar, P.O. + P.S. Deo District Aurangabad, Previously posted as Tola Sevak in Rakiya Urdu Middle School Balapokhar, Mahadalit Uthan Kendra, Balapokhar, Block- Deo District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The State Project Director, Bihar Education Project Council, Beltron Bhawan, Shastrinagar, Patna District- Patna.
3. The District Magistrate, Aurangabad.
4. The District Programme Officer (Establishment), Aurangabad, District- Aurangabad.
5. The District Programme Officer, Primary Education and Sarva Shiksha Abhiyan, Bihar Education Project Aurangabad, District- Aurangabad.
6. The Block Education Extension Officer, Deo , Aurangabad, District- Aurangabad.

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Purushotam Sharma, Advocate.

For the Respondent/s : Mr. Anjani Kumar- AAG-6

For the Rsp. No. 5 : Mr. Girijesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL JUDGMENT

2 17-08-2015

Heard learned counsel for the parties.

This Court would not find any reason to interfere with the order of termination of the petitioner dated 27.06.2013 primarily on the ground that this writ application has been filed after two years of the cause of action. Secondly, this Court would find that the Tola Sevak is not a Government post but only is an engagement in social beneficial scheme.

The submission of learned counsel for the petitioner that though the required educational qualification for the post of

Tola Sevak is matriculation, but then the petitioner is possessing the qualification of Madhyama from Sanskrit Siksha Board which is equivalent qualification, can hardly be any use for assistance of the petitioner.

The work of Tola Sevak is not to preach in Sanskrit and, therefore, if the post required the qualification of matric and the petitioner is not a matriculate, he cannot expect his continuation in service on the post of Tola Sevak requiring the qualification of matriculation.

Thus, for the reasons indicated above, this writ application must fail and is, accordingly, dismissed.

(Mihir Kumar Jha, J)

Sujit/-

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