

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15876 of 2015

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1. Rumi Darakhsan Wife of Saba Ahmad,
2. Md. Ali Khan, Son of Md. Mansoor Alam, both resident of village –
Laxmipur, Police Station Banka, District - Banka. Petitioners
Versus

1. The State of Bihar
2. The Principal Secretary, Department of Human Resources Development
Bihar, Patna.
3. The District Magistrate, Banka.
4. The District Programme Officer, Banka.
5. The S.D.O. Banka
6. The B.E.O. Block - Banka, Police Station and District - Banka
7. The Headmaster, Primary Urdu School, Laxmipur, Block - Banka, P.S.
and District - Banka.
8. The President, Co-ordination Committee, Talimi Markaz Urdu Primary
School, Laxmipur, P.S. and District - Banka.
9. The Secretary, Co-ordination Committee, Talimi Markaz Urdu Primary
School, Laxmipur, P.S. and District - Banka.
10. Md. Yunus Salim, Son of Mubarak Hussain, Resident of Village –
Masuria, District - Banka. Respondents

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Appearance :

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate
For the Respondent/s : Mr. S.Kr.Jha, AC to AAG13

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH
ORAL ORDER**

4 07-12-2015 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners pray for quashing order dated 9.9.2015,
contained in Memo no. 805 whereby the District Magistrate,
Banka cancelled their appointment from the post of Sawayam
Sevak in Talimi Markaz of Laxmipur village under block and
district Banka on the premises that the vacancies were only for
the extremely backward category.

The petitioners submit that the vacancies were for

general category, against which they have been appointed. They further submit that the appointment has been cancelled without giving them an opportunity of hearing.

Counsel for the State submits that the petitioners were wrongly appointed against the post of Sawayan Sevak reserved for the extremely backward category candidates from Muslim community.

Having regard to the facts and circumstances of the case, I am not inclined to interfere with the impugned order cancelling the appointments. The petitioners would be at liberty to file a representation in respect of their claim that in fact they were appointed against vacancies meant for the general category. In case, any such representation is filed, the District Magistrate will consider whether the petitioners were appointed against post meant for extremely backward category or the general category.

With the aforesaid liberty to the petitioners, the writ petition stands disposed of.

Shashi.

(Samarendra Pratap Singh, J)

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