

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.1033 of 2016

=====

Praveen Khatoon, Daughter of Md. Hafij, Resident of Gram +Po-Rampur
Mahinath, Police Station- Pear, District Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. The Commissioner, Tirhut Division, at Muzaffarpur
3. The District Magistrate Muzaffarpur.
4. District Education Officer Muzaffarpur
5. The Block Development Officer Bandra, Muzaffarpur.
6. The Block Education Officer Bandra, Muzaffarpur,
7. The Principal Central Urdu High Middle School Rampur Mahinath Anchal
Bandra, Muzaffarpur.

.... Respondent/s

=====

Appearance :

For the Petitioner/s : Mr. Raju Kumar

For the Respondent/s : Mr. GA10- Smt. Nivedita Nirvikar

=====

CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

ORAL JUDGMENT

Date: 19-07-2016

Heard learned counsel for the parties.

Petitioner filed the writ application when she was not appointed as an Education Volunteer (Shiksha Sawamsewi) under a scheme for motivating children of the most backward minority community for education under what is known as "Talimi Markaj".

Contention of the petitioner is that she was at serial no. 1, but she was denied the benefit on the auspicious ground that she did not participate in the counseling, which was scheduled for 31.07.2015.

The simplicity of the narration made in the writ application does not stand factual and judicial scrutiny, because the facts indicated in the counter affidavit with supporting material throws up

yet another story, besides the failure of the petitioner to participate in the counseling questions have been raised with regard to her educational qualification, which she had acquired. The details thereof have been indicated in Annexure-G to the counter affidavit.

Irrespective of the said fact, since by virtue of Annexure-A, public notice was duly issued for participation in the counseling for all those eligible people and since the petitioner has not participated in the counseling on the said date, naturally the next man in the line and qualification has derived the benefit of such selection.

Since such appointments are not substantive appointments under the State, but only a token amount is given and paid per month for the volunteer work done by such persons, the Court is not willing to examine the matter beyond a particular level of decision making.

In view of the aforesaid facts and circumstances, the Court does not find any reason to interfere with the impugned decision since it does not suffer from any vice or infirmity. Writ application is dismissed, accordingly.

(Ajay Kumar Tripathi, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	20.07.2016
Transmission Date	