

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.9421 of 2013

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1. Renu Kumari, wife of Sri Arun Kumar Pankaj, resident of village-Mahuli, P.O.-Chawmukh, Panchayat- Bhootaney, Police Station-Bochahan, District-Muzaffarpur.
 2. Md. Aabid Khan, son of Md. Anwar Khan, resident of village- Barhaita Ganga Ram, Panchayat- Bhootaney, Police Station- Bochahan, District- Muzaffarpur

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development Department, Bihar Vikash Bhawan, Patna
2. The Director of Primary Education, Bihar Vikash Bhawan, Patna
3. The District Magistrate, Muzaffarpur
4. The District Programme Officer, Muzaffarpur
5. The Superintendent of Education, Muzaffarpur
6. The Block Development Officer, Muzaffarpur
7. The Block Education Extension Officer, Muzaffarpur
8. The K.R.P. of Bochahan Block, Muzaffarpur
9. The Mukhiya of Gram Panchayat Raj Bhootaney, Prakhand-Bochahan, District-Muzaffarpur
10. The Secretary of Gram Panchayat Raj Bhootaney, Prakhand- Bochahan, District- Muzaffarpur

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Ahtashanu Ali Khan, adv.
For the State : Mr. Prabhat Ranjan, A.C. to G.P.12
For the respondent No.9 : Mr. S.C. Jha, adv.

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL JUDGMENT

Date: 18-07-2016

Heard learned counsel for the petitioners, learned

counsel for the State and learned counsel for the Ex-Mukhiya, respondent No.9.

2. The petitioners are claiming that they should be allowed to work as Motivator in the Gram Panchayat Raj Bhootaney. They claimed that they were appointed by the then Mukhiya in a proper manner but the Pramukh by a notification appointed another person as Motivator under Sakshar Bharat programme.

3. Learned counsel for the respondent No.9, Ex-Mukhiya has drawn the attention of this Court to the Standing Instructions issued by the State Government in what manner the appointment has to be made. The appointment of Motivator was only for a period of one year.

4. Learned counsel for the petitioners submits that the persons who were appointed by the Pramukh are still in the service.

5. As the appointment of Motivator is purely a contractual appointment for a period of one year, which has already been elapsed, the relief claimed in the present petition cannot be granted. The petitioner may bring to the notice of the competent authority about the malady with respect to the continuance of Motivator. If appointment is for one year, the respondents supposed to replace the

persons by a fresh advertisement and fresh appointment. The petitioners, if so advised, may approach the competent authority for redressal of their grievance.

6. With the aforesaid observations and directions, this writ application is disposed of.

(Shivaji Pandey, J)

pawan/-

AFR/NAFR	NAFR
CAV DATE	
Uploading Date	21/7/2016
Transmission Date	