

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Civil Writ Jurisdiction Case No.20287 of 2012**

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Ghazala Bano, Wife of Nezamuddin, resident of Village - Dhanaw English,  
P.O. - Dhanaw, P.S. - Nasriganj, District - Rohtas, presently posted as  
Teacher-cum-Warden-In-Charge, Kasturba Gandhi Girls School, Nasriganj,  
P.S. - Nasriganj, District – Rohtas.

.... .... Petitioner

Versus

1. The State of Bihar through the Commissioner-Cum-Secretary,  
Department of Human Resources Development, Bihar, Patna.
2. The District Magistrate, Rohtas at Sasaram.
3. The District Education Officer, Rohtas at Sasaram.
4. The District Programme Officer, Bihar Education Project, Rohtas at  
Sasaram.
5. The Secretary, Vidyalaya Shiksha Samiti, Nasriganj, Rohtas at  
Sasaram.
6. The Secretary, Selection Committee, Kasturba Gandhi Girls School,  
Nasriganj, Rohtas at Sasaram.
7. The Block Education Extension Officer, District - Rohtas at Sasaram.

.... .... Respondents

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**Appearance :**

For the Petitioner : Mr. Rashid Izhar, Advocate.  
For the State : Mr. Nishant Kumar Jha, A.C. to S.C. 28.  
For the B.E.P.C. : Mr. Girijish Kumar, Advocate.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

4      14-11-2017      Heard learned counsel for the petitioner and learned  
counsel for the respondents.

The following reliefs have been sought for by the  
petitioner in the present writ application.

“1(i) Issuance of an appropriate writ  
or writs in the nature of Certiorari  
quashing order dated 20.11.2011,  
passed by respondent no. 4,  
whereby the service of the petitioner  
on the post of Full Time Teacher  
and Warden-In-Charge is terminated  
with immediate effect without any  
show cause or departmental  
proceeding.



(ii) Issuance of writ or writ in the nature of Mandamus commanding the respondents to immediately post the petitioner in the same capacity as Full Time Teacher in Kasturba Gandhi Girls School with all consequential monetary benefits.

(iii) Issuance of declaration that no employee under an employment since 2003 can be divested or terminated from his post without a full-fledged enquiry and after giving appropriate opportunity to the employee to defend himself in the proceeding”.

The petitioner was selected on a provisional basis subject to renewal under the scheme of ‘Sarv Shiksha Abhiyan’. Such engagements were made in the Institutions which are known as ‘Kasturba Gandhi Balika Vidyalaya’. They are not holder of a civil post.

Under the scheme, the petitioner has not any vested right to continue on such post, however, if so advised, the petitioner may move for redressal of her grievance before the State Project Director.

With the aforesaid observations and directions, the present writ application stands disposed of.

U.K./-

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**(Sudhir Singh, J)**

