

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.5574 of 2014

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1. Srikanti Kumari, wife of Parmeshwar Parsad, resident of Village- Chapi, P.S- Sri Rampur, Sherghati, District- Gaya.
 2. Yashoda Devi, wife of Dineshwar Manjhi, resident of Village- Bhuniy, Bigha, P.S- Guraru, District- Gaya.
 3. Rekha Devi, wife of Late Krishna Das, resident of Village- Kesapi, P.S- Dobhi, District- Gaya.
 4. Lalti Devi, wife of Dilip Das, resident of Village- Patej, P.S- Amas, District- Gaya.
 5. Lalita Devi, wife of Rampervesh Paswan, resident of Village- Panania, P.S- Imamganj, District- Gaya.
 6. Rashmi Devi, wife of Ram Bharosa Parsad, resident of Village- Barachatti, Kahudag, P.S- Barachatti, District- Gaya.
 7. Sunita Devi, wife of Late Santosh Parsad, resident of Village- Khanetu, P.S- Tekari, District- Gaya.
 8. Shanti Devi, wife of Rajendra Paswan, resident of Village- Ajzalpur, P.S- Sherghati, District- Gaya.
 9. Phul Kumari Devi, wife of Birju Bhuian, resident of Village- Belbiga, P.S- Amas, District- Gaya.
 10. Malthi Devi, wife of Kamlesh Prasad, resident of Village- Parasia, P.S- Imamganj, District- Gaya.
 11. Babita Devi, wife of Late Naresh Parsad, resident of Village- Malhari, P.S- Imamganj, District- Gaya.
 12. Savita Devi, wife of Premchand Ravidas, resident of Village Manjholia, Mussrivar, P.S- Amas, District- Gaya.
 13. Lalia Devi, wife of Bullu Parjapat, resident of Village- Patti, P.S- Barachatti, District- Gaya.
 14. Anisha Devi, wife of Late Sanjay Prasad, resident of Mokhdumpur, P.S- Jehanabad, District- Jehanabad.
 15. Manoj Kumari, wife of Shyam Bihari Parsad, resident of Village- Chakri, P.S- Imamganj, District- Gaya.
 16. Savita Devi, wife of Late Sarju Sao, resident of Village- Pakri Guria, P.S- Imamganj, District- Gaya.
 17. Saroj Kumari, wife of Raj Kumar Prasad, resident of Village- Mushami, P.S- Barachatti, District- Gaya.
 18. Lali Devi, wife of Jagdeo Parsad, resident of Village- Piprahi, P.S- Guraru, District- Gaya.
 19. Babita Devi, wife of Shiv Ratan Mandal, resident of Savkalla, P.S- Amas, District- Gaya.
 20. Indu Devi, wife of Akhilesh Das, resident of Village- Masrevar, P.S- Amas, District- Gaya.
 21. Ugni Devi, wife of Lota Parjapat, resident of Village- Parasia, P.S- Imamganj, District- Gaya.
 22. Manju Kumari, wife of Suraj Parsad, resident of Village- Tankuppa, P.S- Tankuppa, District- Gaya.
 23. Baby Devi, wife of Bigan Paswan, resident of Village- Barhat, P.S- Imamganj, District- Gaya.
 24. Geeta Devi, wife of Nand Kishore Rikeason, resident of Village- Chunukbiga, P.S- Gurua, District- Gaya.
 25. Shobha Devi, wife of Priymohan Parsad, resident of Village- Chapi,



- P.S- Sherghati, District- Gaya.
26. Meena Devi, wife of Dhaneshar Das, resident of Village- Makhampur, P.S- Dobhi, District- Gaya.
 27. Tikula Devi, wife of Munarihdas, resident of Village- Musrivar, P.S- Amas, District- Gaya,.
 28. Mamgo Devi, wife of Devnandan Das, resident of Village- Sherpur, P.S- Chandauli, District- Gaya.
 29. Bindu Devi, wife of Basant Sharma, resident of Village- Sri Rampur, P.S- Sherghati, District- Gaya.
 30. Basanti Devi, wife of Late Ranjit Vishwaskarma, resident of Village- Bijua, P.S- Dumaria, District- Gaya.
 31. Meenu Devi, wife of Naresh Parsad, resident of Village- Mayapur, P.S- Huntarganj, District- Gaya.
 32. Panwa Devi, wife of Rajia Das, resident of Village- Dadpa, P.S- Guraru, District- Gaya.
 33. Lalita Kumari, wife of Surajdeo Parsad, resident of Village- Jamuar, P.S- Mohanpur, District- Gaya.
 34. Chinta Devi, wife of Sanjay Ravidas, resident of Village- Chersidi, P.S- Barachatti, District- Gaya.
 35. Tetri Devi, wife of Late Munshi Sao, resident of Village- Chuaavar, P.S- Imamganj, District- Gaya.
 36. Girja Devi, wife of Raghunandan Bhagat, resident of Village- Chotki Parasi, P.S- Imamganj, District- Gaya
 37. Nanita Devi, wife of Santosh Parsad, resident of Village- Manjhauli, P.S- Roshanganj, District- Gaya.
 38. Malti Devi, wife of Siyaram Parsad, resident of Village- Kundri, P.S- Amas, District- Gaya.
 39. Munni Devi, wife of Ashok Parsad, resident of Village- Ghatera, P.S- Guraru, District- Gaya.
 40. Shobha Devi, wife of Inderdeo Das, resident of Village- Ghesindi, P.S- Dobhi, District- Gaya.
 41. Mnorma Devi, wife of Jeetendar Mistri, resident of Village- Kordiya, P.S- Konch, District- Gaya.
 42. Anjani Devi, wife of Karu Das, resident of Village- Tankuppa, P.S- Tankuppa, District- Gaya.
 43. Sahodri Devi, wife of Bilas Yadav, resident of Village- Tarowa, P.S- Gurua, District- Gaya.
 44. Unita Devi, wife of Late Subodh Vishwakarma, resident of Village- Kendua, P.S- Sirdalla, District- Nawada.

.... Petitioners

Versus

1. The State of Bihar, through the Principal Secretary, Human Resources Development, Bihar, Patna.
2. The District Magistrate, Gaya.
3. The State Project Director, Bihar, Patna, Bihar Education Project Council Beltron Bhawan, Shastrinagar, Patna.
4. The District Education Officer, Gaya.
5. The District Programme Officer (Establishment) Gaya.
6. The District Programme Coordinator, Bihar Mahila Samakhya Society, Gaya.

.... Respondents

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Appearance :

For the Petitioners : Mr. Rajeev Kumar Singh, Advocate.
For the State : Mr. Manoj Kumar Yadav, A.C. to G.A. 10.
For the R.No. 3 BEPC : Mr. Girijish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-11-2017 Heard learned counsel for the petitioners and learned
counsel for the respondents.

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

“1. That this writ petition has been filed for issuance of an appropriate order/s, direction/s including a writ preferably in the nature of certiorari for quashing the letter no. 3 dated 04.01.2003, as contained in annexure-5 to the writ petition whereby and whereunder the respondent no. 5 has terminated the petitioners services who are holding the post of cook in the Kasturba Gandhi Balika Vidyalaya (hereinafter referred to K.G.B.V. in short) situated in different Block of Gaya District since their appointments is of year 27.09.07 on the ground that while appointments guidelines issued by the State level office as contained in letter no. 4637 dated 27.09.2007 was not complied with. Further, this Hon’ble Court may be pleased to quash the advertisement as contained in annexure-14 to the writ petition published in the daily Hindi Dainik Jagran dated 16.02.2014 whereby and whereunder application has been invited for fresh appointment of teacher, warden, night guard, orderly peon and cook etc., for



Kasturba Gandhi Balika Vidyalaya established under the aegis of Bihar Education Project, Gaya, contrary to the circulars issued time to time. Further, this Hon'ble Court may be pleased to direct the respondents to reinstate them on the ground that they have validly appointed to such post after completing all the selection process adopted by the appointing authority concern referred to as MAHILA SAMAKHAYA, department under Human Resources Development, Bihar, Patna.”

It is pertinent to mention here that the engagements of the petitioners are on a contractual basis under a scheme of ‘Sarv Shiksha Abhiyan’ under the Institution which is known as ‘Kasturba Gandhi Balika Vidyalaya’. The nature of engagements of the petitioners did not confer any statutory right under the law to hold the post and their disengagements can not be looked into under the writ jurisdiction. The petitioners, if so advised, may approach the competent Civil Court for redressal of their grievances.

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

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(Sudhir Singh, J)

