

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23637 of 2012

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1. Kumari Renu Mall Daughter Of Sri Vijay Pratap Mall Resident Of Village Ghuri Kund Kala, Post- Pathar Dewa, Police Station- Baghauch Ghat, District- Deoria (Uttar Pradesh)
 2. Om Prakash Mishra Son Of Sri Chandrama Mishra Resident Of Village Majirwan Khurd, Post- Mishra Batrahan, Police Station- Phulwaria, District Gopalganj (Bihar)
 3. Manju Devi Son Of Sri Munshi Bin Resident Of Village Sakhe, Police Station- Uchaka Gaon, District- Gopalganj

.... Petitioners

Versus

1. The State Of Bihar Through Principal Secretary, Department Of Education, Government Of Bihar, Patna
2. The Bihar Education Project Council Through The Director, Bihar Education Project Shiksha Bhawan, Rashtrabhasha Parishad Campus, Saidpur- Rajendra Nagar, Patna 800004
3. The State Project Director, Bihar Education Project, Shiksha Bhawan, Rashtrabhasha Parishad Campus, Saidpur- Rajendra Nagar, Patna 800004
4. The District Magistrate, Gopalganj
5. The District Program Officer, Gopalganj
6. The Selection Committee Kasturba Gandhi Balika Bidyalaya, Block Bhore, District Gopalganj
7. Saraswati Samaj Kalyan Kendra, Through The Secretary Awadh Kishore Mishra, Village And Post Mishra Bathnahan, Police Station Phulwaria, District- Gopalganj

.... Respondents

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Appearance :

For the Petitioner/s : Mr. Rajiv Nayan Singh, Advocate.
For the Respondent/s : Mr. Avnish Nandan Sinha Gp11
Mr. Jay Prakash Sharma, AGP-81
For Respondent No.2&3 : Mr. Girijesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2017 The petitioners, in the present writ application have sought for the quashing of the Letter No.781 dated 06.10.2012, as contained in Annexure-5, to the present Writ application passed by the District Project Officer (Primary Education and Sarva Shiksha Abhiyan) Bihar Education Project, Gopalganj. The petitioners



have been terminated from the service, on the ground that their engagement is illegal and the procedure of engagement has not been followed, as provided under Sarva Shiksha Abhiyan Scheme. The engagement of the petitioners on the post of teaching and non-teaching post of Teachers in the said Kasturba Gandhi Balika Vidyalaya, Gopalganj was made by N.G.O.

It has been submitted on behalf of the petitioners that the present order has been passed in an arbitrary manner, and hence, the present writ application is maintainable.

It must be pointed out here that the appointment of the petitioners was made by N.G.O. named as Saraswati Samaj Kalyan Kendra, Gopalganj. The said N.G.O. is not a State, within the meaning of Article-12 of the Constitution. Hence, the present Writ application is a misconceived one. If the petitioners have any grievance they may move before the Civil Court, for redressal of their grievances raised herein.

That being so, this writ application is wholly misconceived and is accordingly dismissed.

(Sudhir Singh, J)

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