

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.4800 of 2013

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Diwakar Bharti, S/O Late Ramanand Singh, R/O Village- Kavarwa Balram,
P.O.+P.S.- Karpi, District-Arwal.

.... Petitioner

Versus

1. The State of Bihar.
2. The Secretary, Education Department, Government of Bihar, New Secretariat, Baily Road, Patna.
3. The State Project Director Bihar Education Project Council, Shiksha Bhawan, Rastra Bhasa Parisad, Parisar Saidpur, Rajendra Nagar, Patna.
4. The Deputy Director, Department Of Education, Magadh Pramandal, Gaya.
5. The District Magistrate, Arwal.
6. The District Incharge Officer, Mid Day Meal Project, Arwal.
7. The District Education Officer, Arwal.
8. The District Programme Officer, Arwal.
9. The Block Education Officer, Arwal.
10. Rajendra Kumar Bhatt, S/O Sri Bansropan Rai, Head Master (Incharge), Upgraded Middle School, Shantawan Bigha, Arwal.

.... Respondents

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Appearance :

For the Petitioner : Mr. Radha Mohan Pandey, Advocate.

For the State : Mr. Sunil Kumar Mandal, S.C. 24.
Mr. Bipin Kumar, A.C. to S.C. 3.

For the Bihar Education Project : Mr. Girijish Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-08-2017 Heard learned counsel for the petitioner and
learned counsel for the respondents.

In the present writ application, the petitioner has challenged the order dated 22.05.2012 contained in Letter No. 398 (Annexure-5), issued by the Block Education Officer, Arwal, respondent no. 9 and order dated 12.05.2012 contained in Letter No. 477 (Annexure-2), issued by respondent no. 7 the District Education Officer, Arwal, by which he has been reverted back to



his substantive post, from the post of Cluster Resource Center Co-ordinator, Rajkiya Middle School, Prasad English.

The petitioner was posted on the post of Cluster Resource Center Co-ordinator under the Sarb Shiksha Abhiyan which is being run by the Government of India. Under the Scheme, a person can be posted for a maximum period of three years. Under the Scheme, the petitioner had continued on the said post from the year 2007 to June, 2012.

Since the said post comes under a scheme, no statutory right has accrued in favour of the petitioner to continue on the said post. The substantive post of the petitioner is of an Assistant Teacher. It also can not be a matter of dispute that it is fixed time engagement for limited period of time. There is certain amount of liberty which is required to be given to the administrative authority in this regard.

This Court comes to a conclusion that there is no violation of any law, rule or procedure of a decision making.

The present writ application is dismissed.

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(Sudhir Singh, J)

