

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.19728 of 2012

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Amar Jyoti Mandal Son of Sri Sahendra Prasad, Resident of Village & P.O.
- Belaon, P.S. - Sikroul, Distt - Buxar

.... Petitioner/s

Versus

1. The State of Bihar, through the Secretary Primary Education, Bihar, Patna
2. The District Magistrate, Buxar
3. The District Education Officer, Buxar
4. The District Programme Officer, Buxar (Primary Education-Cum-Sarva Shiksha Abhiyan), Buxar
5. K.G.E.V. Sambhag Incharge Sarb Shiksha Abhiyan, Buxar
6. The Block Education Officer, Navanagar, Distt - Buxar
7. The School Secretary, Middle School, Belaon
8. The President, Middle School, Belaon-Cum-Incharge Employment Officer, Belaon
9. The Headmaster, Middle School, Belaon, Buxar-Cum-Member School Selection Committee, Belaon, Buxar
10. Manoj Kumar Singh Son Of Late Hari Niwas Singh Resident Of Village - Pongarhi, P.O. - Mednipur, Via - Babhnaul, P.S. - Dinara, Distt - Rohtas

.... Respondent/s

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Appearance :

For the Petitioner : Mr. Vijay Kumar, Advocate
For the State : Mr. Rakesh Ambastha, AC to AAG-7
For Bihar Education Project : Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 21-08-2017 In the present writ application, the petitioner has sought for the following reliefs :

(i) For issuance of an appropriate writ, order or direction in the nature of 'Mandamus' directing and commanding the concern Respondents to appoint the petitioner on the post of Peon in Kasturba Awashiya School in light of appointment Rule contained in Annexure-1 by which it has been provided that local candidates



be preferred who belongs to the community of excess female students.

(ii) For issuance of further writ, order or direction in the nature of 'Certiorari' directing and commanding the concern Respondents to cancel the Selection and appointment of Respondent no.10 who belongs to other district and other caste beyond community of schedule caste."

Appointment in Kasturba Gandhi Balika Vidyalaya, Navanagar, Buxar in respect to teaching and non-teaching staffs are being made under the scheme Sarb Shiksha Abhiyan on a contractual basis. The engagement under the scheme relates to 2012. Since it is a contractual appointment, the petitioner is not entitled to any protection under Article 311 or any such other provisions of the Constitution of India. If the petitioner so advised, he may move an application before the Civil Court for redressal of his grievance.

The writ application is disposed of with the liberty as indicated above.

(Sudhir Singh, J)

Narendra/-

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