

IN THE HIGH COURT OF JUDICATURE AT PATNA

**Letters Patent Appeal No.2185 of 2015
IN
Civil Writ Jurisdiction Case No. 12390 of 2015**

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Ram Lakhan Ram son of Ram Kumar Ram, Resident of Village- Balapokhar, P.O + P.S. Deo District Aurangabad, Previously posted as Tola Sevak in Rajkiya Urdu Middle School Balapokhar, Mahadalit Uthan Kendra, Balapokhar, Block-Deo, District Aurangabad.

.... Appellant/s

Versus

1. The State of Bihar through Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
2. The State Project Director, Bihar Education Project Council, Beltron Bhawan, Shastrinagar, Patna, District Patna.
3. The District Magistrate Aurangabad.
4. The District Programme Officer Establishment, Aurangabad, District Aurangabad.
5. The District Programme Officer, Primary Education and Sarva Shiksha Abhiyan, Bihar Education Project, Aurangabad, District Aurangabad.
6. The Block Education Extension Officer, Deo, Aurangabad, District Aurangabad.

.... Respondent/s

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Appearance :

For the Appellant/s : Mr. Siya Saran Shahi
Mr. Purushotam Sharma
For the Respondent/s : Mr. AAG6- Anjani Kumar
For the Bihar Education Project : Mr. Girijesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI

And

HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL JUDGMENT

(Per: HONOURABLE MR. JUSTICE AJAY KUMAR TRIPATHI)

Date: 02-02-2017

Condonation of 18 days is allowed.

I. A. No. 9488 of 2015 is also allowed.

However, so far as the merits of the matter is concerned, the appeal is dismissed, because the selection or engagement or hiring of the Tola Sewak is not any permanent appointment under the State, which is required to be considered



under Article 226 of the Constitution of India. The order impugned does not suffer from any illegality.

Appeal is dismissed.

(Ajay Kumar Tripathi, J)

(Nilu Agrawal, J)

SKM/-

AFR/NAFR	N.A.F.R.
CAV DATE	
Uploading Date	03.02.2017
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