

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.20702 of 2012

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1. Kunti Murmu, D/O Phoolchand Murmu, R/O village- Kurma Garh, P.O.- Rajpur, P.S.- Belhar, District- Banka, at present working as Warden, Kasturba Gandhi Balika Vidyalaya, Belhar, District-Banka.
 2. Shashi Kala, W/O Randhir Singh, R/O Village and P.O.- Malaipur, P.S. Malaipur, District- Jamui, at present working as Full Time Teacher, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 3. Sarita Kumari, W/O Ashok Kumar Singh, R/O Village- Damjor, P.O., P.S.- Belhar, District- Banka, at present working as Full Time Teacher, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 4. Neelam Kumari, D/O Rajendra Singh, R/O Village- Kurmagarh, P.O. Rajpur, P.S. Belhar, District- Banka, at present working as Full Time Teacher, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 5. Nikhat Ara, D/O Hafij Mohammad Mukhtar Alam, R/O Village- Katoria, P.O.- Subhanpur, P.S.-Katoria, District- Banka, at present working as Anshkalin Teacher, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 6. Kumari Veena, W/O Ajay Kumar Mandal, R/O Village- Sadebganj, P.S.- Belhar, District- Banka, at present working as Anshkalin Teacher, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 7. Ashok Kumar, S/O Rambriksha Singh, R/O Village- Akapura, P.O.- Bhairoganj, District- Banka, at present working as Accountant, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 8. Sanjay Singh, S/O Naresh Singh, R/O Village- Dhouri, P.O.- Rajpur, P.S.- Belhar, District- Banka, at present working as Choukidar, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.
 9. Jeetan Hembram, S/O Jalfa Hembram, R/O Village- Bhutiayan, P.O.- Tengra, P.S.- Belhar, District- Banka, at present working as Orderly, Kasturba Gandhi Balika Vidyalaya, Belhar, District- Banka.

.... Petitioners

Versus

1. The State of Bihar.
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The District Education Officer, Banka.
4. The State Project Director, Primary Education, Department of Human Resources Development Department, Government of Bihar, Patna.
5. The District Programme Officer (Primary Teacher/Sarva Siksha), Banka
6. The Block Education Officer, Belhar, District- Banka.
7. Jan Chetna Kendra, Belhar, P.S. Belhar, District- Banka through its Secretary Sri Rajendra Singh.

.... Respondents

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Appearance :

For the Petitioners : Mr. Subodh Kumar Jha, Advocate and Mr. Sarveshwar Tiwary, Advocate.

For the State : Mr. Deepak Sahay Jamuyar, A.C. to A.A.G.



4.
For the Project Council : Mr. Girijesh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 08-09-2017 Heard learned counsel for the petitioners and learned
counsel for the respondents.

In the present writ application, the petitioners have challenged the order passed by the Block Education Officer, Belhar, District-Banka, dated 04.10.2012 by which the engagement on contractual basis of the petitioners has been terminated. The petitioners were engaged on teaching and non-teaching post at Kasturba Gandhi Awasiya Balika Vidyalaya, Belhar, District-Banka. The engagement was purely contractual. The said engagements were being made under Sarv Shiksha Abhiyana. No statutory right has accrued in favour of the petitioners to hold the said post. The petitioners have already filed a representation before the State Project Director, Primary Education, Bihar, Patna, respondent no. 4. vide Annexure-10/A. The petitioners, if so advised, may file an additional documents in support of their representation within a period of four weeks from the date of this order.

The State Project Director, Primary Education, Bihar, Patna, respondent no. 4, is directed to consider the representation



of the petitioners and pass necessary order in accordance with law within a period of four months from the date of receipt/production of copy of this order.

If the petitioners be aggrieved by the order passed by the respondent no. 4, the State Project Director, Primary Education, Bihar, Patna, may approach the Civil Court of competent jurisdiction for redressal of his grievances.

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

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(Sudhir Singh, J)

