

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3126 of 2010

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Birendra Kumar Das, Aged About 28 Years S/O Late Damodar Das R/O Vill.-
Babhangaon, P.O.- Chandpur, Panchayat- Gaithora, P.S.- Kadwa, Distt.-
Katihar

... .. Petitioner/S

Versus

1. The State Of Bihar
2. The Zila-Shikshak-Niyojan Appeleya Pradhikar Katihar, Mirchaibari, Distt.-
Katihar
3. The District Superintendent Of Education Katihar, Mirchaibari, S.D.O.
Campus, Distt.- Katihar
4. The Block Development Officer Kadwa Block, Kadwa, Distt.- Katihar
5. The Block Education Extension Officer Kadwa Block, Kadwa, Distt.-
Katihar
6. Mukhiya Null Gram Panchayat Raj- Gaithora, Kadwa Block, Distt.- Katihar
7. Panchayat Sachiva Gram Panchayat Raj- Gaithora, At & P.O.- Kadwa,
Kadwa Block, Distt.- Katihar
8. Md. Najmul Huda S/O Late Md. Lukman, Panchayat Shikshak Primary
School, Sagdhar, At & P.O.- Gaithora, Kadwa Block, Distt.- Katihar

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Upendra Prasad, Advocate Mrs. Veena Kumari Jaiswal, Advocate
For the Respondent/s	:	Mr. Dhurjati Kumar Prasad, G.P.14
For Respondent No.8	:	Mr. Jibendra Mishra, Advocate

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

5 19-06-2018 Heard Mr. Upendra Prasad, learned counsel for the

petitioner, Mr. Dhurjati Kumar Prasad, G.P. 14 appearing on

behalf of the State and Jibendra Mishra, learned counsel

appearing on behalf of the Respondent No.8.

The present writ petition is an off-suit of select list
prepared for appointment of Shiksha Mitra on 11.3.2003.

The post of Shiksha Mitra has been abolished by
virtue of 2006 Rule and the Shiksha Mitra working on the date



of promulgation of the Rule were made Panchayat Shikshak with effect from July, 2006.

The matter with regard to selection of Shiksha Mitra was set at rest by the various judgments of the Division Benches as well as Full Bench.

Mr. Upendra Prasad, learned counsel for the petitioner submits that the post of Panchayat Shikshak is converted from the post of Shiksha Mitra and therefore, the select list is still existing and the Court may consider the legality and validity of the selection of 2003.

In view of the judgment of the Full Bench in Kalpana Kumari's case, the Court does not find any merit in the contention of the petitioner.

The writ petition is, accordingly, dismissed.

(Anil Kumar Upadhyay, J)

spandey/-

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