

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.2779 of 2017

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Md. Azimuddin, Son of Md. Almin, Resident of Village + P.O.-Sattour, P.S.-
Nauhatta. District-Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna.
2. The Director, Primary Education, Government of Bihar, Patna.
3. The Director, Mass Education-cum-Joint Secretary, Bihar, Patna.
4. The Regional Deputy Director of Education, Koshi Division, Saharsa.
5. The District Magistrate, Saharsa.
6. The District Education, Officer, Saharsa.
7. The District Programme Officer-cum-District Programme Coordinator, Bihar Education Project, Saharsa.
8. The Block Education Officer, Nauhatta, District-Saharsa.
9. The Headmaster, Middle School, Sattour, Anchal-Nauhatta, District-Saharsa.
10. The Coordinator, Cluster Resource Centre, Middle School, Sattour, Anchal-Nauhatta, District-Saharsa.
11. Gajala Shahnaj, D/o Md. Yaqoob, Resident of Village-Sattour, P.O.-Narayanpur, P.S.-Nauhatta, District-Saharsa.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kr. Sharma, Adv.

Mr. Subesh Sharma, Adv.

For the Respondent/s : Mr. Kameshwar Kumar, GP-17

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL JUDGMENT

Date : 19-04-2019

The petitioner has challenged the appointment of



private respondent No. 11 on the post of *Talimi Markaj* (Education Volunteer), on the ground that in the merit-list which was prepared, the petitioner stood above the private respondent No. 11, so far as the merit/marks was concerned.

2. Aggrieved by the order of appointment of private respondent No. 11, the petitioner had made a complaint before the District Authority, Saharsa, where it was found that the private respondent No. 11 had secured 71.25% marks, whereas the petitioner was placed at Serial No. 1 with 71.50% marks. However, the appointment was offered to private respondent No. 11 on the ground of her being a woman as well as Rule with respect to appointment of *Talimi Markaj* clearly indicating that female candidates shall be given preference over male candidates and only in the event of a female candidate not being available, the post shall be offered to a male candidate.

3. There is no dispute over the issue that the petitioner, being a male candidate, had obtained 0.25% marks more than private respondent No. 11, but she has



been chosen over the petitioner because of the guidelines provided in that regard. On that ground, the complaint of the petitioner before the District Authority, Saharsa was not entertained.

4. No good reason has been shown by the learned counsel for the petitioner to interfere with the appointment of private respondent No. 11 or with the order of the District Authority, Sahara, referred to above.

5. The petition is accordingly dismissed.

(Ashutosh Kumar, J)

Praveen-II/-

AFR/NAFR	NAFR
CAV DATE	N/A
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