

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.555 of 2019

1. Zeba Parween Daughter of Md. Alim @ Md. Alimuddin, resident of Village- Gajargarh, P.S.- Barachatti, Block- Barachatti, District- Gaya.
2. Sadiya Qutub, daughter of Md. Qutubuddin, resident of Village- Madhuka, P.S.- Aanti, Block- Konch, District- Gaya.
3. Md. Irshad, Son of Md. Abdul Rashid, Resident of Village- Jota, P.S.- Atri, Block- Mohda, District- Gaya.
4. Rokshana Praveen, daughter of Samsha Farooq Khan, resident of Village- Simri, P.S.- Maigra, Block- Dumariya, District- Gaya.
5. Shabina Khatoon, daughter of Md. Sayeed Alam, Resident of Village- Shyamnagar Nima, P.S.- Amas, Bock- Amas, District- Gaya.
6. Roushan Ara, Wife of Md. Asraf Ali, Resident of Village- Shyamnagar Nima, P.S.- Amas, Bock- Amas, District- Gaya.
7. Simmi Perween, daughter of Md. Islam Khan, Resident of Village- Rampur, Tola Bhatbigha, P.S.- Amas, Bock- Amas, District- Gaya.
8. Sadaf Neha, Wife of Sarfaraz Khan, Resident of Village- Jaipur, P.S.- Sherghati, Block- Sherghati, District- Gaya.
9. Asia Perveen, Daughter of Md. Reyazuddin, resident of Mohalla- Abgila, Kalaltoli, P.S. Mofassil, Block- Manpur, District- Gaya.
10. Ashiya Khatoon, Daughter of Shahzad Khan, resident of Village- Taradih, P.S.- Raushanganj, Block- Banke Bazar, District- Gaya.
11. Rahat Roksar, daughter of Mohib Miyan, resident of Village- Taradih, P.S.- Raushanganj, Block- Banke Bazar, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna
2. The Principal Secretary Department of Education, Government of Bihar, Patna.
3. The Director, Bihar Education Project Council, Shiksha Bhawan, Rashtrabhasha Parishad Campus, Patna
4. The Director, Jan Shiksha, Department of Education, Government of Bihar, Patna.
5. The District Magistrate, Gaya.
6. The District Education Officer, Gaya.



7. The District Programme Officer Sakcharta, Gaya.
8. The Block Education Officer, Block- Manpur, District- Gaya.
9. The Block Education Officer, Block- Konch, District- Gaya.
10. The Block Education Officer, Block- Barachatti, District- Gaya.
11. The Block Education Officer, Block- Mohda, District- Gaya.
12. The Block Education Officer, Block- Dumariya, District- Gaya.
13. The Block Education Officer, Block- Amas, District- Gaya.
14. The Block Education Officer, Block- Sherghati, District- Gaya.
15. The Block Education Officer, Block- Banke Bazar, District- Gaya.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Ashhar Mustafa
For the State	:	Mr. Subash Chandra Mishra, SC-16
For the Respondent/s	:	Mr. Girijish Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 26-04-2019 The present writ petition has been filed for quashing the letter dated 26.05.2018 whereby and whereunder the District Programme Officer (Sakcharta), Gaya has directed all the Block Education Officers to forthwith stop taking work from the petitioners and others similarly situated candidates. The petitioners further seek quashing the order dated 19.5.2018 passed by the Director, Jan Shiksha.

The learned counsel for the respondents, referring to the counter affidavit, has submitted that the petitioners were illegally appointed, however, the respondents have been unable to show any order terminating the services of the petitioners, hence the Court is of the opinion that the respondents cannot create any impediment in the smooth functioning of the



petitioners herein on the posts on which they are working.

Having regard to the facts and circumstances of the case, the present writ petition stands disposed of in terms of the aforesaid opinion of this Court, however, with liberty to the respondents to take appropriate action in accordance with law.

(Mohit Kumar Shah, J)

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