

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.11350 of 2018

Saleha Begum @ Sahila Begum W/o Shahidul Rahman, R/o Village and Post-Katra, Block- Katra, District- Muzaffarpur was working as Talimi Markaj Siksha Swamsevi in Primary School, Katra Urdu, Katra District- Muzaffarpur
... Petitioner

Versus

1. The State Of Bihar
2. The Secretary, Education Department, Bihar, Patna
3. The Director, Public Education, Bihar, Patna
4. The Collector, Muzaffarpur
5. The District Education Officer, Literacy Muzaffarpur
6. The District Program Officer, Secondary Education and Literacy, Muzaffarpur
7. The Block Education Officer, Katra, Muzaffarpur
8. The Headmaster cum Member Secretary, Selection/Steering Committee, Primary School Katra Urdu, Katra

... Respondents

Appearance :

For the Petitioner : Mr. Manoj Kumar Manoj, Adv.
For the Respondents : Mr.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 24-06-2019 Heard the learned counsel for the petitioner and the learned counsel appearing for the State.

Petitioner is aggrieved by the order passed by the District Education Officer-cum-District Programme Officer, Secondary Education and Literacy, Muzaffarpur, whereby the services of the petitioner as Tola Siksha Sevi was cancelled.

Learned counsel for the petitioner submits that with reference to Annexure 2 at page 19 the District Programme Officer, Secondary Education and Literacy, Muzaffarpur, has issued a notice for selection of Talimi Markaz Siksha Sevi with the aforesaid guidelines. The date for submission of application was 01.12.2014 and the last date for submission of application was 04.12.2014. The services of the petitioner was dismissed on the ground that seven days



time for inviting application was not followed by the respondents. The aforesaid ground for terminating the services is inconsistent with the guideline issued by the District Programme Officer, Secondary Education and Literacy, Muzaffarpur, as evident from page 19 of the writ application.

In the aforesaid view, as the seven days time was not followed in the process of inviting the application, the order of termination of the services of the petitioner was issued after enquiry. Respondents have condemned the selection of the petitioner on the ground of non-adherence to the guideline of seven days, which appears to be contrary to the guideline, issued by the District Programme Officer, Secondary Education and Literacy, Muzaffarpur, and, as such, the Court is not inclined to approve the termination of the services of the petitioner. The order, contained in Annexure P1 is quashed. The petitioner is reinstated with all consequential benefits.

With these observations and directions, this application is **allowed.**

(Anil Kumar Upadhyay, J)

Shamshad/-

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