

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.21764 of 2019

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Nandlal Prasad Chouhan @ Nandlal Chouhan Son of Late Govind Prasad Chouhan Resident of Village- Narayanpur Sripur P.S.- Barahat, District-Banka.

... .. Petitioner/s

Versus

1. The State of Bihar through the Commissioner-cum- Secretary, Human Resources Development Department, State of Bihar, Patna.
2. The Commissioner-cum- Secretary, Human Resources Development Department, State of Bihar, Patna.
3. The Director, Mass Education, State of Bihar, Patna.
4. The Principal Secretary, Department of Personnel and Administrative Reforms, State of Bihar, Patna.
5. District Mass Education officer, Banka.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Mritunjay Prasad Singh
For the Respondent/s : Mr.Kameshwar Kumar (GP17)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and the learned counsel for the State.

The petitioner seeks direction to the respondents to absorb the service of the petitioner, who was the Ex-Instructor of Adult and Non Formal Education, on the post of Class III/IV in regular Government Service as per their qualification and eligibility after relaxing the age bar. The petitioner further seeks direction that the respondents be directed to follow the same policy with regard to the Instructor of Non Formal Education similar to that of the Supervisor of Non Formal Education.



Learned counsel for the petitioner submits that petitioner was appointed on 29.03.1994 for the post of Instructor, Non Formal Education. The petitioner was imparting education to the children of the age group of 9 to 14 years but he was disengaged from the service. Some of the Supervisors of Non Formal Education filed CWJC No.8110 of 2001 and the same was disposed of on 02.07.2009 with a direction to the Government to consider the case of the absorption of Supervisors of Non Formal Education. The petitioner be also granted same relief. It is further submitted that Instructor of Non Formal Education had also filed joint writ petition vide CWJC No.8418 of 2010 and the same was disposed of with an observation directing the respondents authorities to consider the case of the Instructor-petitioner but I find no substance in the submission of the learned counsel for the petitioner as the petitioner has belatedly moved before this Court after more than two decades from the date of his disengagement from the post of Instructor, Non Formal Education. None of the Formal Education Instructor can be regularized or absorbed in the Government service unless the Government comes with a policy to absorb Instructor, Non Formal Education. The petitioner has got no case to be absorbed even after giving relaxation to his



age.

Having considered the facts aforesaid, I do not find any merit in this writ petition. Accordingly, this writ petition is dismissed.

(Prabhat Kumar Jha, J)

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