

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23457 of 2019

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Jitendra Kumar, S/o Sadhu Manjhi, Resident of Village- Rewan, P.O.- Rewan,
P.s.- Masaurhi, Block- Masaurhi, district- Patna, Presently posted as Tola
Sewak in Primary School, Rewan Mushahri, Block- Masaurhi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Govt. of Bihar, Patna
2. The District Education Officer Patna
3. The District Programme Officer (R.M.S.A.) Literacy, Patna
4. The Block Education Officer Masaurhi, District- Patna
5. The Headmaster Primary School, Rewan Mushari, Block- Masaurhi, District- Patna

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar, Adv.
For the Respondent/s : Mr.Kameshwar Kumar (Gp17)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-11-2019 Heard learned counsel for the parties.

2. The petitioner was engaged as *Tola Sewak* under certain welfare scheme of the State Government for facilitating education of children belonging to *Mahadalits/ Dalits*. His service was discontinued, however, since he was taken in custody in a criminal case, which fact he did not disclose after he was released on bail on 20.12.2017.

3. It transpires from the office order dated 26.03.2018 that the petitioner was allowed to join after he was released on bail since at the time of his joining he had not disclosed about



his arrest in a criminal case.

4. The engagement order has been brought on record by way of Annexure-1 to the writ application, from which it appears that any decision to extend the services could have been taken on the basis of conduct of a *Tola Sewak*. The petitioner has a grievance that he is not being allowed to work as *Tola Sewak*.

5. I do not find it to be a fit case for interference for the reason that he was not only found involved in commission of offence punishable under the Excise Act, he concealed the said fact while resuming his duties after having been released on bail.

6. This application is accordingly dismissed.

(Chakradhari Sharan Singh, J)

Rajesh/-

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