

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14874 of 2018

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Shila Perween W/o Mohammad Basiruddin R/o-Village and P.O. Ramnagar,
Block-Gayaghat District-Muzaffarpur was Working as Talimi Markaj Siksha
Swamsevi in Govt. Elevated Middle School, Gayasuddinpur Gayaghat
District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Secretary, Education, Department, Bihar, Patna.
3. The Director, Education, Department, 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, Gayaghat Muzaffarpur.
8. The Headmaster Cum Member Secretary, Selection Committee, Govt.
Elevated Middle School, Gayasuddinpur

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Manoj, Advocate
For the Respondent/s	:	Mr. Madanjeet Kumar -Gp20

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL JUDGMENT

Date : 29-11-2021

Heard Mr. Manoj Kumar Manoj, learned Advocate

for the petitioner and Mr. Madanjeet Kumar, learned GP-

20 for the State.

The petitioner has approached this Court for a
direction to the respondents to take work from her and to
pay her the honorarium, as she had been appointed as



Talimi Markaz in the year 2015 and had worked regularly till 2018.

The learned counsel for the petitioner has submitted that on the assumption that some of the persons who had been engaged as Talimi Markaz had been removed from service, so the petitioner also would have been removed from service, the services of the petitioner was presumed to have been terminated.

Based on that presumption, the petitioner has not been paid her honorarium, nor is she allowed to work as Talimi Markaz.

The counter affidavit, it has been pointed out is also based on the aforesaid assumption and premise that the services of the petitioner has been terminated.

The petitioner has specifically stated that the order of termination has never been served upon her and she is not in know of such order.

However, considering the fact that there are disputed questions with respect to the termination and the



communication of the termination order to the petitioner, it would be open for the petitioner to approach the District Education Officer (Literacy), Muzaffarpur (respondent no. 5). Any representation filed by her within a period of three weeks shall be entertained and after verifying all the facts, necessary orders shall be passed within a further period of four weeks and the petitioner shall be made known the order, a copy of which shall be supplied to her forthwith.

Should she feel aggrieved by the order, she may approach the appropriate authority for the needful.

With the aforesaid direction/observation, the writ petition is disposed of.

(Ashutosh Kumar, J)

krishna/-

AFR/NAFR	NAFR
CAV DATE	NA
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Transmission Date	

