

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.16864 of 2017

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Savita Kumari W/o Dilip Kumar, Resident of Village- Gohchak, Tola- Tikar,
P.S. Atari, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Education Department, Government of Bihar, Patna.
2. The Principal Secretary, Education Department, Govt. of Bihar, Patna.
3. The Commissioner, Magadh Division, Gaya.
4. The Director, Mass Education cum Public Information Officer, Bihar, Patna.
5. The District Magistrate, Gaya.
6. The District Public Complain Redressal Officer, Gaya.
7. The In-Charge Officer, District Public Complain Cell, Gaya.
8. The Nodal Officer, District Public Complain Redressal, Gaya.
9. The Public Information Officer cum Senior Deputy Collector, Gaya.
10. The District Programme Officer, Secondary Education cum Literacy, District Public Education Samitte
11. The Circle Officer, Atari, District- Gaya.
12. The Block Education Officer, Atari, P.S. Atari, District- Gaya.
13. The Head Master, Upgraded Middle School, Tikar Hindi, P.S.- Atari, District- Gaya.
14. Lalti Kumari, W/o Shyam Bihari Manjhi, R/o Village- Faid Nagar, P.O.- Pale, P.S. Wazirganj, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Sharma, Adv.
For the Respondent/s : Mr. Kameshwar Kumar - GP-17

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 29-11-2021 The petitioner has challenged the order contained

in Annexure-21 to this writ petition dated 31.10.2017

passed by the Director, Mass Education, Government of

Bihar, whereby the challenge to the appointment of



respondent no.14 as Tola Sevak on the ground that she does not come from the same locality and that she does not possess the requisite academic qualifications, was not sustained.

These issues, it has been urged, has been completely by-passed by the Director, Mass Education, Government of Bihar and the application preferred by the petitioner has been rejected only on the ground that there is no requirement in the rules regarding appointment of either daughter or daughter-in-law as Tola Sevak.

The learned counsel for the petitioner submits that this was not the issue before the Director, Mass Education. The reason for preferring the complaint against the appointment of respondent no.14 was that she did not hail from the area where she was appointment as Tola Sevak which is one of the necessary pre-condition for appointment on such post and that she did not have the requisite qualification. These aspects have not been gone into and an order has been passed rejecting the claim of the petitioner.

The learned counsel for the State has pointed out



that new Rules of 2018 has come into existence and if the petitioner has any grievance with respect to appointment of respondent no.14 on such post, the matter could be agitated before the appropriate authority which is the office of the District Education Officer.

In case the order passed by the First Appellate Authority is not to the satisfaction of the petitioner, she could approach the Second Appellate Authority, if so desired.

With the aforesaid directions, the writ petition stands disposed of.

(Ashutosh Kumar, J)

Sunilkumar/
Rashid

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