

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.20702 of 2018

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Ramarcha Prasad Roy S/o Bhubneswar Prasad Rai Resident of Village-
Chakarman,P.O. Shahpur Undi,P.S. Patory,Distt.-Samastipur

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary,Education, Department Govt. of Bihar,Patna
3. The Director,Public Education,Bihar,Patna
4. The Regional Deputy Director of Education,Darbhanga Division Darbhanga
5. The District Magistrate,Samastipur
6. The District Education Officer,Samastipur
7. The District Programme Officer Establishment , Samastipur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Sinha, Adv.
For the Respondent/s : Mr. Jitendra Kumar Roy 1 -SC13

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 18-10-2022 (1) The petitioner has prayed as under:

*“1. That this is an application for
issuance of an appropriate writ/writs/order/orders
or direction for the following relief/s:-*

*(i) To issue an appropriate order/s
direction/s including a writ preferably in the nature
of Mandamus commanding and directing upon the
respondent No. 2 to 7 to provide the details of
vacancy of Group D Post vacant till 31-08-2017
pertaining to absorption of non formal education*



instructors as per roaster vide Resolution No. 945 dated 27-04-2017.

(ii) To direct the respondents to provide the details of vacancy of Group D Post vacant till 31-12-2017 pertaining to absorption of Non formal education Instructor and send the same to office of Director, Public Education, Bihar, Patna as expeditiously as possibly to ensure appointment against said post.

(iii) To direct the respondents to appoint the petitioner to the post of Non formal education instructor who has continuously discharged the duty of instructor prior to closure of the scheme.

(iv) To any other relief/s to which the petitioner is entitled in the facts and circumstances of the case.

2. That, the following moot questions of law are involved in this writ petition for kind consideration of this Hon'ble court:-

(i) Whether the action of the respondents is arbitrary, capricious and whimsical?

(ii) Whether the action of the



respondents is quite illegal and against the principles of Natural Justice?

(iii) Whether the respondents are justified in not sending the details of vacancy of the Non formal education instructor in view of the direction of the Hon'ble Apex court?

(iv) Whether the action of the respondents is violative of article 14, 15(ii), 16 and 21 of the Constitution of India?"

(2) From the bare perusal of the prayer made, it is apparent that petitioner is making a prayer for seeking information. Such information relating to details of vacancy position, can be obtained by approaching under the forum under the RTI Act 2005. The writ petition for such information would not lie, is wholly frivolous and is dismissed accordingly.

(Sanjeev Prakash Sharma, J)

Shaswat/-
Item no. 42

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