

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.22025 of 2018

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Dileep Kumar Singh @ Dilip Kumar Son of Prabhunath Singh Resident of
village-Salthar Asani P.S.-Udwanthnagar, District-Bhojpur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Commissioner, Patna Division, Patna
3. The Collector, Bhojpur at Ara
4. The Mukhiya of Ashani Gram Panchayat, P.S.- Udwanthnagar, District-Bhojpur
5. The Block Development Officer, Udwanthnagar Block, P.S. Udwanthnagar, District-Bhojpur

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.
For the Respondent/s : Mr.Prabhakar Jha- Gp27

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

ORAL ORDER

2 14-11-2022 Heard the parties.

The petitioner by way of this writ petition prays for directing the respondents to appoint the petitioner on the post of Shiksha Mitra on the basis of vacancy, which on the panel prepared by the respondents in the year 2005 almost 17 years have passed back.

Although the petitioner has been putting up his claim since 2006 itself, this Court is unable to grant relief to him for the reasons firstly, that the post of Shiksha Mitra is not a public post or a post under the State and is a post under a scheme. The said scheme is no more in vogue.



Keeping in view the law laid down by the Apex Court reported in **(2018) 13 SCC 560 (State of Uttar Pradesh & Anr. Vrs. Anand Kumar Yadav & Ors.)** no relief can be granted for reinstatement/appointment of a Shiksha Mitra.

Secondly, on the ground of efflux of time the claim having been already closed, appointment against a penal or a vacancy which arose in 2005 can not be granted, the clock can not be turned back.

Keeping in view above, writ petition is found to be without basis and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

Shamshad/-
Item No. 59

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