

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6941 of 2021

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Sarita Kumari Wife of Ram Prakash Yadav Resident of Village - Near Middle School Anchra Ward No. 7 (Hanuman Nagar), P.O. - Anchra, P.S. - Forbesganj (Nawabganj), District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Through the Commissioner-cum-Secretary, Department of Education, Govt. of Bihar, Patna
2. The Principal Secretary, Department of Education, Govt. of Bihar, Patna
3. The Commissioner-cum-Secretary, Department of Education, Govt. of Bihar, Patna
4. The Director, Mass Education, Department of Education, Govt. of Bihar, Patna
5. The District Education Officer, Araria
6. The District Program Officer, Araria

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Jha
For the Respondent/s : Ms. Binita Singh

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CORAM: HONOURABLE MR. JUSTICE P. B. BAJANTHRI
ORAL JUDGMENT

Date : 09-02-2022

The matter is heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. In the instant petition, petitioner has prayed for the following relief/reliefs:

“That the petitioner prays issuance of an appropriate writ preferably in the nature of mandamus commanding and directing the respondents concerned to absorb the petitioners on the post of Class – III under the Respondents State as the petitioners are Ex-instructors of Adult and non-formal Education on several grounds including that the state Government has decided to absorb the Non-formal Education Supervisors on Class-III, post. Any/or other relief/s for



which the petitioners are found in the entitled in the facts and circumstances of the case.”

3. The aforesaid relief is not supported by representation. The petitioner has also not established as to how she has legal or statutory vested right in claiming the aforesaid relief followed by demand before the competent authority. In the absence of the aforesaid ingredients, the present petition cannot be entertained in the light of Apex Court decision in the case of *Mani Subrat Jain V. State of Haryana* reported in *(1977) 1 SCC 486*.

4. Accordingly, the present petition stands dismissed, reserving liberty to the petitioner to file a representation before the competent authority along with judicial pronouncements, if any, within a period of eight weeks from the date of receipt of this order. The competent authority is hereby directed to decide the petitioner’s representation within a reasonable period of time.

(P. B. Bajanthri, J)

GAURAV S./-

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	

