

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.5782 of 2020

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Khushboo Khatoon @ Khushbu Khatoon Daughter of Late Md. Hadish,
Resident of Village- Ratwara Chandan, P.O. Paroo, P.S., Block and Circle -
Saraiya, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Department of Education, Government of Bihar, Patna.
2. The Director, Department of Primary School, Government of Bihar, Patna.
3. The District Magistrate, Muzaffarpur.
4. The District Education Officer, Muzaffarpur.
5. The District Programme Officer, Muzaffarpur.
6. The Block Education Officer, Block Saraiya, District - Muzaffarpur.
7. The Head Master Primary School Harpur Ratwara Chandan (Code - 403102) Block Saraiya, District Muzaffarpur.
8. Jakir Hussain @ Zakir Hussain, Son of Abdul Hakim, Resident of Village- Harpur Gaus, P.O. Paroo, Block, Circle and Police Station - Saraiya, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Upendra Kumar Chaubey
For the Respondent/s : Mr. Mrigendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-01-2022 Heard Mr. Suraj Narayan Yadav, the learned

counsel for the petitioner and Mr. Mrigendra Kumar, the

learned counsel for the State.

The petitioner is aggrieved by the appointment /

engagement of private respondent no. 8 as Talimi Markaz

volunteer in Primary School, Harpur Ratwara even though

the petitioner had higher marks than him (respondent no.



8).

It has been urged on behalf of the petitioner that pursuant to the decision of the authorities for appointment/engaging Talimi Markaz volunteers in different primary schools from the concerned feeder area comprising villages, the petitioner made an application for Harpur Ratwara Primary School. A merit list was prepared in which the petitioner was ranked first. However, the appointment was given to the private respondent no. 8 on the sole ground that the petitioner does not belong to the feeder village of Harpur Ratwara.

The learned counsel for the petitioner has submitted that Harpur Ratwara a big village which is divided into two parts which stands separated by a canal. The petitioner resides in the southern part of the village. The authorities have wrongly taken the petitioner to be the resident of a different village, namely Ratwara Chandan which forms the feeder area / village of another school by the name of Harpur Ratwara Chandan Primary School. Because of the wrong identification of the petitioner, in stead



of her, private respondent no. 8 has been engaged as Talimi Markaz volunteer in the aforesaid school.

The petitioner has made several representations before the B.E.O. and B.D.O. Saraiya in the district of Muzaffarpur from 2015 to 2018 but nothing has been done in that regard.

Under the aforesaid circumstances, though this case relates to the engagement of Talimi Markaz volunteer of the year 2015 but considering the fact that the petitioner had been representing before the authorities for redressal of her grievance, this Court deems it appropriate to direct the petitioner to make a fresh suitable representation before the District Programme Officer, Muzaffarpur (respondent no. 5), who shall verify the records; hear the parties including private respondent no. 8 and shall pass necessary order in accordance with law within a period of eight weeks of the receipt of such representation.

Needless to say that all the rules in that regard shall be adverted to and a reasoned order shall be passed which shall be communicated to the petitioner.



With the aforesaid direction / observation, the
petition stands disposed of.

(Ashutosh Kumar, J)

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