

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.14798 of 2022

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Saroj Kumari Wife of Sunil Kumar Jha, Resident of Village-Seema, P.O.-
Kapileshwar Asthan, P.S.-Rahika, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar through the Director of Education (Primary), Bihar, Patna.
2. The Commissioner, Darbhanga.
3. The Collector, Madhubani.
4. The District Education Officer, Madhubani.
5. The District Programme Officer, Sarv Shiksha Abhiyan, Madhubani.
6. The Principal, Madhya Vidyalaya, Moaapkala, Tarai, Bhojpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Ghosarvey, Adv.
For the State	:	Smt. Binita Singh (SC28)
		Mr. Nishant Kumar Jha, AC to SC28
For Respondent(BEPC)	:	Mr. Girijish Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 10-11-2022 1. Admittedly, the petitioner has remained absent from duty for a long period of almost four years. The petitioner was appointed as a contractual employee on 06.12.2007.

2. Learned counsel for the petitioner submits that on account of severe backache, the petitioner was prevented to continue in service and remained absent from 26.06.2018 and returned back on duty on 20th February 2020, but was not allowed to join. Whereafter on account of Covid-19 the petitioner could not join duties. She has submitted a representation to the District Programming Officer, (Sarve



Shiksha Abhiyan), Madhubani on 14.12.2021, enclosing medical prescription but she has not been allowed to join duties.

3. Learned counsel appearing for the State submits that the petitioners appointment was purely contractual and no rights are created in her favour for reinstatement. Even otherwise she has on her own free will discontinued to work.

4. I have considered the submissions. Keeping in view that the appointment was purely contractual and that the petitioner has discontinued to perform her duties for a long time from 26.06.2018 without any such serious medical ailment on her own, the action of the respondents in not allowing the petitioner to join cannot be said to be in any manner unjustified.

5. The writ petition is devoid of merits and is accordingly dismissed.

(Sanjeev Prakash Sharma, J)

shaswat/-
item no. 32

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