

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.24524 of 2018

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Nupur Nisha W/o Thakur Narayan Jee Pranav, resident of Village- Rampur Kasahia, P.S.- Warishnagar, District - Samastipur.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors
2. The Principal Secretary Education Department, Government of Bihar, New Secretariat, Patna.
3. The Director, Primary Education, Government of Bihar, New Secretariat Patna.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Adv.
For the Respondent/s : Mr. Madhaw Pd.Yadav -Gp23

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CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH SHARMA

ORAL ORDER

2 21-11-2022 1. It would be appropriate to quote the judgment passed in CWJC No. 3188/2018 in the case of Manoj Kumar Thakur & Ors. Vs. The State of Bihar & Ors., where the issue of Lok Shikshak was dealt by this Court as under :

“3. Admittedly, the petitioners were holding the post of Lok Shikshak, which stands, abolished. Scheme under which the Lok Shikshak was appointed already stands abolished. 4. The petitioners claim that they should be absorbed on the post of Panchayat Teacher. While the petitioners are always free to participate in the regular selection process, no orders can be possibly passed for absorption of the employees, who were appointed under a particular scheme to a regular cadre as they were not knowing the process of selection. The decision to absorb is an exclusive domain of the State Government and the judicial fiat cannot be exercised for the said purpose. 5. However, taking into consideration, the petitioners have performed duties akin to Assistant Teachers; as and when regular selection are made, the petitioners would be entitled



for age relaxation as has been observed in the Judgment passed by a Coordinate Bench of this Court in C.W.J.C. No. 1109 of 2017 (Prafful Kumar Mandal & Ors. vs. The State of Bihar & Ors.) decided on 30.11.2017.”

2. The writ petition is dismissed accordingly.

(Sanjeev Prakash Sharma, J)

Sachin/-
Item No. 134

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