

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13629 of 2015

1. Subhash Ram and Ors Son of Rajbansi Ram, Resident of Village - P.O. - Saphi, Block P.S. Turkaulia, District - East Champaran Motihari.
2. Sudhir Kumar, Son of Nagina Ram, Resident of Village - Rampur Chargaha, P.O. P.S. Block - Turkaulia, District - East Champaran, Motihari.
3. Awadhesh Ram, Son of Gorakh Ram, Resident of Village - Jaisinghpur Babu Tola, P.O. -Jaisinghpur Khirua Bazar,P.S. - Turkaulia, District - East Champaran, Motihari.
4. Sanjay Baitha, Son of Nandan Baitha, Resident of Village - Rampur Chargaha, P.O. P.s. Block - Turkaulia, District - East Champaran, Motihari.
5. Anwar Alam, Son of Sukant Ali, Resident of Village - Jaisinghpur, Sardar Tola, Block- Turkkaulia, District - East Champaran,Motihari.
6. Sajrun Nisha, D/o Monajir Ansari, Resident of Village - Jaisinghpur Durga Chowk, Block - Turkaulia, District - East Champaran, Motihari.
7. Smt. Ruksaiya Amjad, W/o Sahabuddin Najar, W/o Amjad Hussain, Resident of Villae - Khirua Bazar, Ward No. 11, P.O.- Jaisinghpur, Block - Turkaulia, District - East Champaran, Motihari.

... .. Petitioners

Versus

1. The State Of Bihar
2. The Director, Public Education - Cum - Joint Secretary, Education Department, Government of Bihar,
3. The District Magistrate, East Champaran, Motihari
4. The District Education Officer, East Champaran, Motihari.
5. The District Programme Officer Training Rastriya Madhyamik Siksha Abhiyan and Saksharta, East Cham
6. The Block Education Officer, Block - Turkaulia, District - East Champaran, Motihari.

... .. Respondents

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Singh, Advocate
For the Respondent/s : Mr. Anirmab Kundu, SC 24

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioners and the
State.

Instant writ petition has been filed seeking direction



upon the respondents for payment of arrears of honorarium to the petitioners from the date of their appointment, i.e., 22.10.2014 till date with all consequential benefits.

It is submitted on behalf of the petitioners that the petitioners belong to Mahadalit and Minority Community. In pursuance to Letter No. 598 dated 23.10.2014 (Annexure 9) issued by the Block Education Officer, Turkaulia (respondent no.6) petitioners were selected and appointed the post of Tola Shevak and Siksha Swaymshevak respectively in the District of Motihari, East Champaran. Said letter was also sent the District Programme Officer (Literacy) Motihari, East Champaran. Learned counsel for the petitioners further submits that the petitioners were appointed after following all procedure and they discharged their duties to the satisfaction of the concerned authorities without any adverse remarks, still they have not been paid honorarium since 22.10.2014.

Counter affidavit has been filed on behalf of respondents no. 4 to 6. It has been stated that in fact Letter No. 598 dated 23.10.2014 (Annexure 9) by which petitioners had been selected was not approved by the District Programme Officer and in spite of non-approval, the School Selection Committee of Tola sevak Sanchalan Sammittee issued Niyojan



letter to the petitioners, as such, Niyojan of 19 Tola Sevak and Educational Volunteers including the petitioners, has been cancelled. Furthermore, order of the District Programme Officer was never challenged before the writ court.

Since petitioners's selection and appointment were never given mandatory approval by the competent authority, writ petition, being devoid of merit, is accordingly, dismissed.

(Prabhat Kumar Singh, J)

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