

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.13523 of 2015

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Sahana Begum W/o Md. Sadre Alam, Resident of village- Andhari, P.S.-
Bakhtiyarpur, District- Saharsa

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Principal Secretary, Human Resources Department, Bihar, Patna
3. Director Jan Shiksha-cum-Joint Secretary, Bihar, Patna
4. District Magistrate, Saharsa
5. District Education Officer, Saharsa
6. District Programme Officer Establishment/Literacy, Saharsa
7. District Programme Officer Sarv Shiksha Abhiyan, Saharsa
8. The Block Development Officer, Simri Bakhtiyarpur, Block- Simri
Bakhtiyarpur, District- Saharsa
9. The Block Education Extension Officer, Simri Bakhtiyarpur, Block- Simri
Bakhtiyarpur, District- Sah
10. Md. Jasimuddin S/O Md. Nasiruddin, Resident of village- Andhari, P.S.-
Bakhtiyarpur, District- Saharsa

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Ratan Kumar, Adv.
For the State	:	Mr. Mujtabaul Haque, GP-12 with Mr. Vasant Vikas, AC to GP-12

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**CORAM: HONOURABLE MR. JUSTICE SANJEEV PRAKASH
SHARMA**

ORAL ORDER

2 21-02-2023 1. The petitioner by way of this writ petition prays as
under:-

*“1. That this writ application
is directed for issuance of a writ in the
nature of:-*

(A) Certiorari:-

*I. For quashing the selection,
if any, in favour of the Respondent no.10
by the Block Education extension Officer,*



Simri Bakhtiyarpur, Saharsa, Respondent No.9 is complete derogation of Govt. Circular/guidelines of Talimi Markaj.

(B) Mandamus:-

I. For direction to the Respondents authority to issue Selection/Appointment letter in favour of the petitioner for the post of Shiksha Swyam Sevak (Talmi Markaj) in pursuance to the Government Circular/Guidelines for Ward No.16 of Katho Gram Panchayat for Andhari Muslim Tola South at Primary School Andhari for which petitioner was suitable candidate for the Appointment on the said post.

II. For issuance of any other writ/writs, order/orders to which the petitioner is found to be entitled.”

2. The respondent has stated in paragraphs-5 & 6 of the counter affidavit as follows:-

“5. That since the matter of selection of “Talimi Markaj” has also been declared as disputed one vide the then BEO-Simri Bakhtiyarpur letter no. 274 dated 07.03.2015, as such the claim of the petitioner seems justifiable.

6. That it is stated and submitted here that again Director, Jan Shiksha-Cum-Joint Secretary, Bihar,



Patna has issued another letter dated 23.12.2013 regarding a partial modification in the earlier order with respect to the appointment/selection of Tola Sevak and Shiksha Swayam Sevam (Talimi Markaj) Selection and eligibility criteria and the same was communicated by his aforesaid letter to all the District Magistrate, and all the District Programme Officer (Literacy) and all District Chief Programme Coordinator of the State of Bihar.”

3. Keeping in view above, this writ petition is disposed of with the observation that, if the petitioner is found suitable in the subsequent selection, if any, then she may be considered.

4. Learned counsel appears for the respondent no.10, since taking into consideration the stand taken by the State Government, the orders passed hereinabove for the petitioner would also apply for the respondent also.

(Sanjeev Prakash Sharma, J)

Pravinkumar/-

Item No. 44

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