

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.10613 of 2017

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Puja Kumari @ Kumari Puja wife of late Rajesh Kumar Ray resident of village - P.O. Phulout, P.S. Chousa, District Madhepur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Director Department of Primary Education, Government of Bihar, Patna.
3. The District Education Officer, Madhepura, P.S. and District Madhepura.
4. The District Programme Officer Estab P.S. and District - Madhepura.
5. The Block Education Officer, Chousa, P.S. Chousa, District - Madhepura.
6. The Headmaster Kasturba Gandhi Girls School Louvalagan Chousa, P.S. - Chousa, District Madhepura.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr.Shivnandan Sah
For the State	:	Mr.Kameshwar Kumar- Gp17
		Mr. S. K. Ranjan, AC to GP 17
For the BEPC	:	Mr. Girijesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

6 20-03-2023 Heard learned Counsel for the parties concerned.

The petitioner has filed the present writ application for quashing Memo No. 143, dated 22.01.2016, issued by the District Programme Officer, Madhepura, whereby the services of the petitioner, who was working as Full Time Teacher, in Kasturba Gandhi Girls School, Chousa, has been terminated.

Pursuant to an advertisement published in the year 2007, the petitioner was appointed on 15.02.2010, as Full Time



Teacher, in Kasturba Gandhi Girls School, Chousa, for a period of one year,. The services of the petitioner was extended from time to time, and ultimately, by the impugned order, the petitioner was terminated on the ground of non-production of graduation degree, as stipulated in the Scheme before the cut off date, i.e. 31.12.2015.

Learned Counsel for the Bihar State Pariyojana Council, relying upon a decision of the Division Bench of this Court, passed, on 30.08.2022, in L.P.A. No. 1574 of 2019, submits that similar issue of attaining the eligibility criteria was under consideration before the Division Bench and it has been held that *“contractual appointees is not having any statutory right to seek continuation unless and until policy provides for it. In the present case, the appellant has not established statutory right to continue. That apart, she is not stated to have fulfilled the eligibility criteria”*.

Considering the situation that the fact of the case of the present petitioner is also similar to the fact of the appellant of L.P.A. No. 1574 of 2019, in which the appellant had not fulfilled the required eligibility criteria before the cut off date, i.e. 31.12.2015, I come to the conclusion that no relief can be granted to the petitioner by this Court.



Accordingly, this writ application is dismissed.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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