

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.3534 of 2018

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Haseena Khatoon D/o Late Jalil Ansari, Resident of Village P.O.- Megh
Ratwara, Block- Bandra, P.S.- Piar, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar through the Principal Secretary (Middle Education & Literacy), Govt. of Bihar, Patna
2. The District Magistrate, Muzaffarpur.
3. The District Programme Officer Middle Education and Literacy, Muzaffarpur.
4. Block Development Officer, Bandra, Muzaffarpur.
5. Block Education Officer, Bandra, Muzaffarpur.
6. The Co-ordinator, Sankool Sanshadhan Kendra, Block- Bandra, Muzaffarpur.
7. The Head Master, Government Basic School, Ratwara, District- Muzaffarpur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand
For the Respondent/s : Mr. Sanjay Kumar, AC to GP 23

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL JUDGMENT

Date : 07-10-2023

1. Heard learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner has filed the instant application for
directing the respondents to give joining letter to the petitioner
as the petitioner has been selected by the Headmaster of
Government Basic School, Ratwara in the District Muzaffarpur
on the post of Tola Sewak of Talimi Markaz under Akshar
Aanchal Yojana, a scheme started by the State Government in



the year 2012.

3. The case of the petitioner in brief is that in the year 2012, the Government of Bihar launched the Chief Minister's Akshar Aanchal Yojana for the purpose of getting children belonging to weaker sections enrolled in schools. For this purpose, Tola Sewak were assigned responsibility to ensure that the children go to school every day and the dropout rate is brought down. By order dated 16.7.2015, the Block Education Officer, Bandra nominated the Headmaster of the Government Basic School, Ratwara for their selection. The petitioner submitted her application and as per the circular of the State Government her name was recommended under the scheme against the two vacant posts of Tola Sewak in Ratwara.

4. Learned counsel for the respondents submits that a counter affidavit has been filed on behalf of the District Programme Officer (respondent no. 3) as also the Headmaster of the concerned school (respondent no. 7). Referring to the counter affidavit of the respondent no. 7, it is submitted that from the records available in the school, there is no record with respect to the selection of the petitioner at any point of time.

5. Having heard learned counsel for the parties and having perused the material on record, the Court finds that



neither any procedure is stated to have been followed nor any advertisement or notice has been brought on record on behalf of the petitioner to substantiate the contention with respect to her selection. It is not even stated as to whether the said appointment is a temporary appointment on a contract basis or a permanent appointment. In any view of the matter, even selection for any post, as claimed by the petitioner, does not give her right to appointment to the post.

6. In view of the facts and circumstances stated hereinabove and specially in view of the specific stands of the Headmaster of the school as borne out from his counter affidavit, the Court finds no merit in the instant application and the same is dismissed.

(Partha Sarthy, J)

Spd/-

AFR/NAFR	
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