

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.2693 of 2012

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1. RAKESH KUMAR S/O Sri Ramakant Pandey R/O Village-Chapra, At Present Village-Sogra Adalpur Kundal, P.S. Tariyani, Dist.-Sheohar
 2. Sri Bhagwan Singh S/O Late Jang Singh R/O Village-Pojhiyan, P.S. Tariyani, Dist.-Sheohar
 3. Hanslal Rai S/O Late Fakira Rai R/O Village-Motnaje, P.S. Tariyani, Dist.-Sheohar
 4. Ram Kishore Singh S/O Baldeo Singh R/O Village-Pachragoat, P.S. Tariyani, Dist.-Sheohar
 5. Laxmin Narayan Mahto S/O Late Ram Parikshan Mahto R/O Village-Bishwanbharpur, P.S. Tariyani, Dist.-Sheohar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR through the Principal Secretary, Human Resources Department, Bihar, Patna
2. The Principal Secretary, Human Resources Department, Bihar, Patna
3. The Director, Primary Education, Bihar, Patna
4. The Joint Director, Jan Shiksha Niliyam, Bihar, Patna
5. The Collector, Sitamarhi
6. The Zila Jan Shiksha Niliyam Officer, Sitamarhi, At Present Known As District Programme Coordinator, District-Sitamarhi.
7. The District Education Officer, Sitamarhi

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Verma,Advocate
For the State : Mr.Manoj Kumar Sinha, A.C. to G.A.-9

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL JUDGMENT

Date : 30-10-2023

Heard learned counsel for the petitioners and learned
counsel for the State.

2. The present writ application has been filed for a
direction to the respondent-authorities to absorb the services of
the petitioners in regular Govt. Service as per their qualification



and eligibility who were earlier appointed under the scheme of Jan Shikshan Niliyam of the Central Government to the post of “Prerak” (Promoters) in the different Gram Panchayat Raj under Block-Tariyani-Belsand, District-Sitamarhi on honorarium basis.

3. Earlier the matter was taken up on 14.03.2012 and it has been directed to list this matter immediately at the same position after disposal of the LPA No. 1489 of 2011.

4. Learned counsel for the petitioners outrightly submits that the said LPA has been disposed of by order dated 11.08.2015 and it has been decided especially in para-10 of the said LPA that *“we would only like to add that the State policy in respect of Supervisors be adopted mutatis mutandis with only addition that it would apply to the Instructors, who were found working for three years continuously, at the time when the non-formal education scheme was abolished, in which they were. The respondents/writ petitioners do not insist on Class III posts but submits that State Government should take them into service even on Class IV posts as per the vacancies available in different Departments. It surely cannot extend to people, who, at any distinct point of time, had worked for a short period and then left the work. They can have no legitimate claim in this*



regard.”

5. In fact the petitioners were working on the post of “Prerak” and LPA could have been decided only those who were working on the post of Supervisor and Instructor be absorbed in the regular establishment.

6. Considering the aforesaid fact that the case of the petitioners are not fallen under the direction of the LPA, hence this writ application is dismissed.

(Rajesh Kumar Verma, J)

Nitesh/-

AFR/NAFR	NAFR
CAV DATE	NA
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