

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.706 of 2022

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Chandramala Prakash Suman, W/o Sri Surendra Bhagat, R/o Village-Mustafa
Pur, P.O.-Maniyar Pur, P.S.-Bidu Pur, Dist.-Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary Education Dept. Govt. of Bihar,
Patna.
2. The District Magistrate, Vaishali.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Respondent/s : Mr. Rajesh Kumar Sinha, AC to GP-23

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-11-2024 Heard the parties.

2. The petitioner by invoking the jurisdiction of this Court seeking a direction upon the respondent to adjust the petitioner on any Class III post as per his qualification or against the post of Non-Formal Instructor.

3. Learned Advocate for the petitioner contended that though the petitioner was appointed on the post of Shiksha Mitra way back in the year 2003, however, on account of the fact that he secured the qualification of Sahitya Bhushan through Hindi Vidya Pith, Deogarh which is equivalent to intermediate, his claim was not considered for re-employment. It is next contended that the other persons who were also working on Shiksha Mitra, they have been later on absorbed



against the Non-Formal Instructor.

4. Learned Advocate for the State vehemently opposed the prayer of the petitioner and contended that the issue with regard to the Shiksha Mitra has already come to an end after coming into force of Bihar Panchayat Primary Teachers (Appointment and Service Condition) Rules, 2006; as the post of Shiksha Mitra has already abolished.

5. So far the claim of the petitioner of his adjustment against Non-Formal Instructor is concerned, the same cannot be considered for the simple reason that the petitioner had never been worked as Non-Formal Instructor, nor he has approached before this Court within the cut off date i.e. 26.02.2016.

6. Having considered the submissions advanced on behalf of learned Advocate for the respective parties, this Court finds the present writ petition is wholly misconceived. So far the contention of the petitioner with respect to his acquisition of qualification of Sahitya Bhushan is concerned, the same has got no recognition by the State Government for the purpose of gaining employment and the claim of the petitioner has already been turned down in C.W.J.C. No. 18616 of 2009. Admittedly the petitioner had never been worked as Non-Formal Instructor, thus there is no question of any claim for absorption.



7. The writ petition sans any merit, fit to be dismissed.

(Harish Kumar, J)

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