

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.17731 of 2016

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1. Reeta Devi W/o Shushil Paswan resident of village - Bhim Nagar, Ward No. 11, P.S. Birpur, District - Supaul
 2. Raj Kumari Devi W/o Sri Mahendra Mehta resident of village - Lalpur, Ward No. 13, P.S. Birpur, District - Supaul

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The District Magistrate, Supaul
3. District Programme officer Establishment , Supaul
4. The District Education officer, Supaul
5. The Sub - Divisional Officer, Birpur, District Supaul
6. The Block Education Officer, Basantpur Sub - Division Birpur, District Supaul
7. Block Development officer, Basantpur, Sub - Division, Birpur, District Supaul
8. The Headmaster, Middle School Lalpur, Ward No. 13, Block Basantpur, Sub - Division, Birpur, Distric

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Respondent/s : Mr. Hitesh Suman, AC to SC13

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-05-2024 1. Heard learned counsel for the parties concerned.
2. The dispute involved in the present writ application is non-engagement of the petitioners as Cook by the Vidyalaya Shiksha Samiti, which is the body constituted for running the administration of the school.
3. Learned counsel for the State submits that the engagement/appointment of Cook by the Samiti is not interfered by the officials of the State and State authorities has almost no role in selection, service and



removal of Cook and other staff in running the administration of the school.

4. The petitioners were engaged as Cook by the Vidyalaya Shiksha Samiti and the services rendered by the petitioners were not on sanctioned post and the same is not statutory or civil post.
5. However, the further claim of the petitioner is for payment of remuneration for a specific period which according to them was not paid by the Vidyalaya Shiksha Samiti.
6. In view of the submission made by the parties and taking into consideration the nature of engagement of the petitioner no interference can be done by this Court regarding the disengagement of the petitioners. However, if the petitioners have actually worked for a certain period and have not been paid their remuneration they shall be at liberty to file a representation before the respondent no. 8 in this regard.
7. If such a representation is filed by the petitioner, the respondent no. 8 shall dispose the same in accordance with law by a reasoned order within a reasonable time frame.



8. With the aforesaid observation and direction, this writ application is disposed.

(Anil Kumar Sinha, J)

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