

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.9305 of 2017

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Brij Bihari Kumar S/o Banbari Jamadar R/o Village Sabalpur, P.O. P.S. -
Aungari, Dist. Nalanda.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Director, Madyan Bhojan Yojna, Bihar, Patna.
3. Commissioner, Patna Division, Patna.
4. Deputy Development Commissioner, Nalanda.
5. Deputy Development Commissioner, Nalanda.
6. District Programme Officer, Nalanda.
7. District Education Officer, Nalanda.
8. Block Education Officer, Ekangarsarai, Nalanda.
9. School Education Committee Primary School Sabalpur, P.S. Aungari, Dist -
Nalanda.
10. Headmaster, Primary School, Sabalpur, Block Ekangarsarai, Distt. Nalanda.
11. Mukhia, Gram Panchayat, Raj Aungari, P.S. Aungari, Distt. Nalanda.
12. Panchayat Sachiv, Gram Panchayat Raj Aungari, P.S. Aungari, Dist.
Nalanda.
13. Laxminiya Devi W/o Mahendra Paswan R/o Village Sabalpur, P.S. -
Aungari, Dist. Nalanda.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rewti Kant Raman, Adv.
For the Respondent/s	:	Mr. Madanjit Kumar-Gp20
For MDM	:	Mr. Girjesh Kumar, Adv

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 25-06-2024 Heard learned counsel for the parties.

2. The present petition has been preferred for quashing the order dated 28.07.2017 (Annexure-6) passed by Divisional Commissioner, Patna Division, Patna as well as order dated 28.07.2016 (Annexure-5) passed by Zila Lok Shikayat



Nivran Padadhikari, Nalanda whereby the petition of the petitioner has been rejected and the appointment of Respondent No. 13 on the post of 'Rasoia' of Primary School, Sabalpur has been affirmed. Petitioner also seeks a direction to the respondents to make a fresh selection for the post of 'Rasoia' of Primary School, Sabalpur.

3. Learned counsel for the State submits that the post of Cook is not a statutory and/or Civil post.

4. Learned counsel for the petitioner submits that the petitioner proposes to file a fresh representation before the District Programme Officer, Mid Day Meal Scheme, Nalanda, for consideration of his case for engagement as 'Rasoia' under the Mid Day Meal Scheme at other places.

5. Taking into consideration the nature of prayer, let a representation be filed by the petitioner before the District Programme Officer, Mid Day Meal Scheme, Nalanda within a period of two weeks.

6. It is made clear that if a representation is filed by the petitioner, the District Programme Officer, Mid Day Meal Scheme, Kaimur, shall dispose the same in accordance with law within a maximum period of three months from the date of receipt of the representation.



7. With the aforesaid observation and direction this writ application is disposed of.

(Anil Kumar Sinha, J)

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