

Sandhya Kumari Daughter of Mukut Dhari Sharma, Resident of Village-
Ghewara, Post- Ghewara, P.S.- Ritiap, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State Of Bihar through District Magistrate, Aurangabad.
2. District Education Officer, Aurangabad.
3. District Programme Officer Primary Education cum Sarva Shiksha Scheme Aurangabad.
4. The State Project Director, Bihar Education Project Council, Bihar, Patna.
5. Lali Kumari, W/o Gopal Singh, Resident of Village- Bishopur, Post-Khaneri, P.S.- Kargahar, District- Rohtas.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr.Bipin Bihari Singh, Advocate
For the Respondent/s : Mr.Subhash Chandra Mishra- SC 16
For BEPC : Mr. Girijish Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 24-06-2024 1. Heard learned counsel for the parties concerned.

2. Learned counsel for the petitioner submits that pursuant to an Advertisement dated 05.03.2014 for appointment/engagement of Full-time Teachers in Kasturba Gandhi Residential Girls School at Kutumba and other places, the petitioner applied for the said post but ignoring the claim of the petitioner, respondent no. 5 Lali Kumari was appointed in Kutumba. Learned counsel placed Annexure-3, which is a contract signed between respondent no. 5 and the District Programme Officer (Primary Education- cum- Sarva Shiksha Scheme), Aurangabad, showing that respondent no. 5 was



appointed/ engaged in the Kasturba Gandhi Residential Girls School at Kutumba.

Learned counsel further submits that respondent no. 5 did not apply for Kutumba rather she had applied for Rafiganj.

3. Learned counsel for Bihar Education Project Council submits that the engagement was for a period of 03 years or till the continuation of the Scheme. He further submits that under the Scheme, post of Full-time Teacher has been abolished. He relied upon a judgment dated 27.02.2018, passed by a co-ordinate Bench of this Court in C.W.J.C. No. 6153 of 2016 and analogous cases, which were filed by Full-time Teachers for a direction to the Authorities to allow them to continue to work as Full-time Teachers, even after the abolition of the post but the said writ petitions have been dismissed taking into consideration the nature of engagement/ appointment which was a contractual appointment under the Scheme, launched by the Government of India. He next submits that one of the writ petitioners of aforesaid batch of cases Smt. Perveen Kauser filed L.P.A. No. 414 of 2018 against the order dated 27.02.2018, passed in C.W.J.C. No. 6153 of 2016 and analogous cases but the same has also been dismissed by a Division Bench of this



Court vide judgment dated 30.01.2019.

4. Having heard learned counsel for the parties and taking into consideration the fact that the appointment was contractual appointment i.e. for a period of 03 years and the post of Full-time Teacher has been abolished, the present writ application stands dismissed.

(Anil Kumar Sinha, J)

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