

IN THE HIGH COURT OF JUDICATURE AT PATNA
Letters Patent Appeal No.92 of 2018

In

Civil Writ Jurisdiction Case No.13929 of 2015

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1. Shabnam Bano and Anr wife of Abdul Manan Ansari resident of Village - Daulatganj, Mirchaiya Tola, Police Station - Bhagwan Bazar, District - Saran.
 2. Jamila Nasrian@ Jamila Nasreen Wife of Abdul Khaliq resident of Village - Karini Chak, Police Station - Chapra Town, District - Saran.

... .. Appellant/s

Versus

1. The State Of Bihar
2. The Principal Secretary, Human Resources Development Department, Government of Bihar, Patna.
3. The Director, Mass Education-cum-Joint Secretary, Bihar, Patna.
4. The District Magistrate, Chapra, Saran.
5. The District Programme Officer Literacy Saran, District - Saran.
6. The School Inspector-cum-Block Resource Centre Co-ordinator, Sadar Chapra, District - Chapra.

... .. Respondent/s

Appearance :

For the Appellant/s : Mr. Gyan Prakash, Advocate
For the Respondent/s : Mr. Ashutosh Ranjan Pandey -AAG15

CORAM: HONOURABLE THE CHIEF JUSTICE
and
HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

(Per: HONOURABLE THE CHIEF JUSTICE)

14 01-08-2024 1. The appellants have filed the appeal challenging the order of the learned Single Judge which dismissed the writ petition filed for continuation as Shikshak Swamsevaks of



Taleemi Markaz. The learned Single Judge rejected the prayer on the ground that there is no substantive or permanent post under the State.

2. Learned counsel for the appellants argued that the appellants were appointed under the scheme and there was a new scheme introduced upon which all the earlier persons were sought to be terminated, many of whom came before this Court in CWJC no.11447 of 2018 (Md. Ejaaz Kausar Khan & Ors. versus State of Bihar) and analogous cases in which the learned Single Judge by judgment dated 27.7.2022 found that the earlier scheme was continuing. The learned Single Judge also directed the petitioners to be continued as regular employees of the State.

3. We are not convinced that the judgment passed could be sustained, but no appeal has been filed. However in so far as the present case is concerned, the appellants have moved in civil review before the learned Single Judge which was dismissed as per Annexure-1 order dated 10.2.2017. An appeal was taken from the civil review which was also dismissed on 11.7.2017. The Division Bench which dismissed the LPA specifically noticed that there was no appeal taken from the order passed in the writ petition and there is no reason to



interfere in the matter. The appellants thus foreclosed their remedy of appeal against the original order and the present appeal is filed again after one year in the year 2018.

4. We find absolutely no reason to the entertain the appeal. The same is dismissed.

(K. Vinod Chandran, CJ)

(Partha Sarthy, J)

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