

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15781 of 2023

1. Sumitra Kumari daughter of Basudeo Chaudhary, Wife of Krishna Chaudhari, resident of village - Sanda, P.O. - Matpa, P.S. - Kutumba, Block - Kutumba, District - Aurangabad.
2. Mahendra Rikiyasan, Son of - Bindeshwari Rikiyasan, resident of village - Basdiha, P.S. - Tandwa, Block - Navinagar, District - Aurangabad.
3. Tuntun Kumar, Son of Birendra Bhuyan, resident of village- Loha Bigaha, Baliya, P.S. Amba, Block- Kutumba, District - Aurangabad
4. Manoj Kumar @ Manoj, Son of Late Rupchand Ram @ Chanda, resident of village - Raghunath Ganj, P.S. - Navinagar, Block - Navinagar, District - Aurangabad.
5. Chinta Kumari @ Chinta Devi, daughter of Chhedu Bhuyan, Wife of Ashok Kumar, daughter of Late Kali Bhuian, resident of village - Kajpa, P.S. - Rafiganj, Block - Rafiganj, District - Aurangabad.
6. Arti Kumari @ Arti Devi, Wife of Vinod Bhuyan, resident of village - Pande Bigha, P.O. - Sargavan, P.S. and Block- Deo, Block - Deo, District - Aurangabad.
7. Jay Ram Bhuyan, Son of Ratan Bhuiyan, resident of village- Bedhani Bigaha, Berhani, P.S. and Block - Deo, District - Aurangabad.
8. Lalti Kumari, daughter of Rajdeo Bhuia, wife of Nandu Bhuiya, resident of village- Paduman Bigha (Koyal Khap), P.O. - Neyamatpur, P.S. - Dhibra, Block - Deo, District - Aurangabad.
9. Sushila Devi, Wife of Ram Prasad Ram, resident of village- Paduman Bigha, (Koyal Khap), P.O. - Neyamatpur, P.S. - Dhibra, Block - Deo, District- Aurangabad.
10. Suresh Prasad Sharma, Son of Rameshwar Bhuiya @ Rameshwar Ram, resident of village - Vishnupur, P.O. - Vishnupur Chatti, P.S. and Block - Deo, District - Aurangabad.
11. Vikash Kumari, Wife of Raj Kumar Rajak, resident of village - Manika, P.S. and Block - Madanpur, District- Aurangabad.
12. Chinta Kumari, Wife of Kamata Singh Bhokta @ Kamata Kumar, resident of Villager- Babu Bandh, P.O. - Purnadih, P.S. and Block - Madanpur, District- Aurangabad.
13. Satyendra Rikiyasan, Son of Karu Bhuiyan, resident of village - Badam, P.O.- Umga, P.S. and Block- Madanpur, District - Aurangabad.
14. Shanti Kumari, Wife of Krishna Singh Bhogta, resident of village- Pipargadhi, P.O. - Umga, P.S. and Block - Madanpur, District - Aurangabad.
15. Rina Kumari, Wife of Ramdhyan Singh Bhogta, resident of village - Pipargadhi, P.O.- Umga, P.S. and Block - Madanpur, District - Aurangabad.
16. Dipan Kumar Bhuiyan, Son of Bishunpat Bhuiyan, resident of village - Jalwan, P.S. and Block- Madanpur, District - Aurangabad.
17. Rajendra Ram, Son of Ramnandan Bhuiyan, resident of village - Alarpur, Manika, P.S. and Block - Madanpur, District - Aurangabad.



18. Jai Ram Bharti, Son of Late Suresh Bhuiya, resident of village- Nawadih, P.S. and Block - Madanpur, District - Aurangabad.
19. Anita Devi, wife of Mahendra Choudhary, resident of village - Parasdihi, P.S. - Salaiya, Block - Madanpur, District - Aurangabad.
20. Vinod Kumar, Son of Sukhi Bhuiya, resident of village- Bhairam Bigha, P.S. and Block - Madanpur, District - Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar through Principal Secretary, Education Department, Patna, Bihar.
2. The Secretary, Jan Shiksha, Education Department, Patna, Bihar.
3. The Director, Jan Shiksha, Education Department, Bihar, Patna.
4. The State Project Director, Bihar Education Project Council, Beltron Bhawan, Shastri Nagar, Patna.
5. The District Magistrate, Aurangabad.
6. The District Education Officer, Aurangabad.
7. The District Program Officer, Aurangabad.
8. The District Program Officer, Sarv Shiksha Abhiyan (SSA) Aurangabad.
9. The District Program Officer, Madhyamik Shiksha Shaksharta and R.M.S.A., Aurangabad.
10. The Block Education Officer of Kutumba, Aurangabad.
11. The Block Education Officer of Deo, Aurangabad.
12. The Block Education Officer of Navinagar, Aurangabad.
13. The Block Education Officer of Rafiganj, Aurangabad.
14. The Block Education Officer of Madanpur, Aurangabad.
15. The Block Development Officer, Kutumba, Aurangabad.
16. The Block Development Officer, Deo, Aurangabad.
17. The Block Development Officer, Navinagar, Aurangabad.
18. The Block Development Officer, Rafiganj, Aurangabad.
19. The Block Development Officer, Madanpur, Aurangabad.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Yugal Kishore
For the Respondent/s : Mr. Kameshwar Kumar (Gp 17)

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL JUDGMENT

Date : 05-04-2024

Heard learned counsel for the parties.



2. Learned counsel for the petitioner submits that the post of Tola Sevak is not a permanent appointment under the State which is considered under Section 226 of the Constitution of India.
3. Learned counsel for the State submits that the LPA No.2185 of 2015 passed on 02.02.2017 by a Division Bench of this Court held that the post of Tola Sevak is not a permanent post, which is required to be considered under Section 226 of the Constitution of India. The order impugned is not favourable to the petitioner in any legality of common matter.
4. Considering the order passed in LPA No.2185 of 2015, this writ application is disposed of as not maintainable.

(Anjani Kumar Sharan, J)

shikha/-

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	15.04.2024
Transmission Date	NA

