

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15468 of 2017

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Vikram Kumar Son of Ramdev Kishiyasan, resident of Village- Chillor, P.O.- Gurua, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

1. The State Of Bihar and Ors.
2. District Education Officer, Gaya.
3. Sub-Divisional Officer, Sherghati, Gaya.
4. Block Development Officer, Gurua.
5. Block Education Officer, Gurua.
6. Head Master, Government Prathamik Vidyalaya, Chillor.
7. Bala Lakhindar Choudhary, Son of Late Moti Choudhary, resident of Village- Chillor, P.O.- Gurua, P.S.- Gurua, District- Gaya.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr. Poddar Suresh Gandhi, Adv.

For the Respondent/s : Mr. Madanjit Kumar, GP-20

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 20-11-2025 Heard learned counsel for the petitioner and

learned counsel appearing for the Respondent-State.

2. Admittedly, this matter relates to Tola Sewak and

Talimi Markez Shiksha Swamsevaks.

3. By a Coordinate Bench decision of this Court
dated 02.01.2024 passed in C.W.J.C. No. 15189 of 2019, the
issue, as raised in this writ application, has been addressed
by holding and observing that Tola Sewak and Talimi Markez
Shiksha Swamsevaks do not hold civil post as well as the
same are not a statutory post and, therefore, the writ is not



maintainable. Prior to this Coordinate Bench decision, in LPA. No. 2185 of 2015, a judgment had already been passed on 02.02.2017 holding and observing that engagement or hiring of Tola Sewak is not a permanent appointment under the State, which is required to be considered under Article 226 of the Constitution of India.

4. In view of the aforesaid decisions, the present writ application would not be maintainable under Article 226 of the Constitution of India and hence, it is dismissed as not maintainable.

(Alok Kumar Sinha, J)

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