

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18081 of 2017

1. Sanjeet Kumar Bitha and Ors Son of Sri Bhairon Baitha, Resident of Village-Ruphara, P.S. Shikarganj, District-East Champaran
2. Madan Baitha, Son of Sri Ram Sewak Baitha, Resident of Village-Harbolwa Police Station-Chiraiya, District-East Champaran.
3. Baidyanath Kumar Manjhi, Son of Horli Manjhi, Resident of Village-Yadopur Nanhakar, P.S. Dhaka, District-East Champaran.
4. Sangeeta Kumari, Wife of Sri Ramashish Baitha, Resident of Village-Chailahan Kudiya, P.S. Banjaria. District-East Champaran.
5. Reena Kumari, Wife of Sri Sugriva Baitha. Resident of Village-Chailahan Kudiya, P.S. Banjaria. District-East Champaran.
6. Mohd. Samsuddin, Son of Jumrati Mian, Resident of Village-Saraiya Gopal, Police Station Patahi, District-East Champaran.

... .. Petitioners

Versus

1. The State Of Bihar
2. The Principal Secretary, Education Department, Government of Bihar, Patna
3. The Director, Primary Education, Bihar, Patna.
4. The District Magistrate, East Champaran at Motihari.
5. The District Education Officer, Motihari. East Champaran.
6. The District Programme Officer, Training RMSA and Literacy East Champaran.
7. The Block Education Officer, Chiraiya Block, East Champaran
8. The Block Education Officer, Dhaka Block, East Champaran
9. The Block Education officer, Banjaria Block, East Champaran
10. The Block Education Officer, Patahi Block, East Champaran.

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar Singh, Advocate
For the Respondent/s	:	Mr. Ashutosh Ranjan Pandey, Aag-15
	:	Mr. S.S. Tiwary, AC to AAG-15

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

3 19-11-2025 Heard learned counsel for the petitioners 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 CWJC No. 15189 of 2019, this issued has been addressed by holding and observing that Talimi Markez Shikshak Swamsevi does not hold Civil Post as well as the same is 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)

Gaurav Sinha/-

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